

19.12.2022
Serial no.29
Aloke

CRM (A) 5884 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Islampur Police Station Case No. 198 of 2022 dated 21.03.2022 under Sections 448/323/325/307/354/379/34 of the Indian Penal.

-And-

In the matter of : **Asgar Ali @ Md. Asgar & Ors.**

... .. Petitioners

Mr. Shaharayar Alam, Advocate

... .. For the Petitioners

Mr. Tanmoy Kr. Ghosh, Advocate

Ms. Sonali Bhar, Advocate

... ...For the State

Petitioners seek anticipatory bail.

The injured in his statement identifies one person who assaulted him with iron rod leading to his injury. Such person was arrested and granted bail by the jurisdictional Court.

Considering the role ascribed by the injured to the petitioner and considering the fact that the main assailant was granted bail by the jurisdictional Court, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is allowed.
CRM (A) 5884 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)