

CRM (A) 5900 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 1329 of 2021 dated 16.11.2021 under Sections 341/325/376/511/34 of the Indian Penal Code.

-And-

In the matter of : **Md. Nazrul Hoque**

... .. Petitioner

Ms. Minoti Gomes, Advocate
Mr. Amanul Islam, Advocate
Mr. Sourav Mukherjee, Advocate
Ms. Swayaama Kar, Advocate

... .. For the Petitioner

Mr. Bidyut Kr. Roy, Advocate
Ms. Sima Biswas, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Apparently, there was an incident with regard to user of a toilet between co-sharerer. The de facto complainant was injured in the incident.

The injury report suggests that she received a scratch mark on the nip of her neck.

The police filed charge-sheet.

Considering the materials in the case diary, the gravity of the offence and the medical report of the victim, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 petitioner 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 petitioner in Court

including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 5900 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)