

40 19.01.2023
(AD) Court No.29
(Allowed)

C.R.M. (A) 282 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** P.S. Case No.**604 of 2022** dated **17/10/2022** under Sections **341/323/326/34** of the Indian Penal Code, corresponding to G.R. No.6524 of 2022.

And

In the matter of: **Bharat Rajak & Anr.**

....petitioners.

Mr. Tapan Datta Gupta
Mr. Parvej Anam

...for the petitioners.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

...for the State.

Petitioners pray for anticipatory bail.

The assault apparently did not give rise to a grievous hurt.

The Court is informed that the first petitioner is a Border Security Force personnel.

In such circumstances, we 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 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 no.1 will report before the Investigating Officer as and when called for till the conclusion of the investigation and petitioner no.2 will cooperate with the

investigation till the conclusion of the investigation and on 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 282 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)