

02.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 438 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** Police Station Case No. **574** of **2022** dated **12.12.2022** under Sections 341/325/308/354B/379/506/34 of the Indian Penal Code.

And

In Re : Biswadeep Sarkar @ Biswadip & Ors.

..... petitioner

Mr. Amitava Karmakar

Mr. Arup Kumar Bhowmik

....for the petitioner

Mr. Sudip Kumar

....for the State

Apparently, the assault developed out of demand for money.

The husband of the victim was assaulted whereupon the victim intervened.

None of the injured suffered grievous hurt.

Considering the materials in the case diary including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, 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/- 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 meet the Investigating Officer once a month 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)