

06.02.2023

Court No.29
Item No.9
(Allowed)

CRM (A) 441 of 2023

Saswata

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Gangarampur Police Station Case No. 342 of 2021 dated 03.09.2021 under Sections 341/326/307/506/34 of the Indian Penal Code;

And

In the matter of : **Paresh Roy & Anr.**

...Petitioners

**Ms. Jeenia Rudra
Ms. Megha Chanda**

...For the Petitioners

**Mr. Binoy Panda
Ms. Puspita Saha**

...For the State

An eye witness to the incident implicates the petitioner no. 1 in the assault, causing grievous hurt on the victim.

In such circumstances, we are unable to grant anticipatory bail to the **petitioner no. 1** and is accordingly **rejected**.

Insofar as petitioner no. 2 is concerned, we grant anticipatory bail to him.

The prayer for anticipatory bail of the **petitioner no. 2** is, thus, **allowed**.

Accordingly, we direct that in the event of arrest, the petitioner no. 2 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 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 in a fortnight till completion of the investigation.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

