

07.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 532 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dhubulia** Police Station Case No. **19** of **2023** dated **13.01.2023** under Sections 448/323/326/307/34 of the Indian Penal Code.
And

In Re : Nrisingha Dutta @ Khokon & Ors.

..... petitioners

Ms. Karabi Roy

....for the petitioners

Mr. Arijit Ganguly

Mr. Sanjib Kumar Daan

....for the State

Apparently, there was a free fight between the private parties with regard to a property dispute. Petitioner also suffered injuries.

The injury report of the injured in the present police case, apparently, does not suggest that the injured suffered grievous hurt.

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/- 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

petitioner nos. 1 (Nrisingha Dutta @ Khokon) and 2 (Tapan Dutta @ Tapan Kumar Dutta) shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner no. 3 (Rubi Dutta @ Rubi Dutta (Das) shall cooperate with the Investigating Officer 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.)