

09.02.2023

Sl.19

Court No.29

(AD)

(Allowed)

C.R.M. (A) 572 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No.**381 of 2021** dated **28.03.2021** under Sections **448/323/325/376/511/354/379/34** of the Indian Penal Code (G.R. No.1640 of 2021). Charge Sheet submitted vide no.78/2022 dated 17.01.2022 under Sections 448/323/376/511/354/379/34 of the Indian Penal Code.

And

In the matter of: **Uday Sarkar & Anr.**

....petitioners.

Ms. Minoti Gomes
Mr. Musharraf Alam Sk.
Ms. Susmita Ghorai

...for the petitioners.

Mr. Navanil De

...for the State.

Petitioners pray for anticipatory bail.

Apparently, the incident arose out of a boundary dispute.

The police filed charge sheet.

Considering the injuries suffered by the victim and considering the materials in the case diary, the gravity of the offence and the involvement of the petitioners therein, 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 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) 572 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)