

16.02.2023

Sl.90

Court No.29

(AD)

(Partly
Allowed)

C.R.M. (A) 723 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Katwa** Police Station Case No.**929 of 2022** dated **28.11.2022** under Sections **341/326/307/506/34** of the Indian Penal Code.

And

In the matter of: **Tapas Mondal & Ors.**

....petitioners.

Mr. Soumik Ganguli
Mr. Diptendu Banerjee

...for the petitioners.

Mr. Binay Panda
Ms. Puspita Saha

...for the State.

Petitioners pray for anticipatory bail.

Petitioner nos.1 and 3, namely, Tapas Mondal and Mathura Mondal, were arrested and, therefore, CRM (A) 723 of 2023 is dismissed as infructuous so far as they are concerned.

The materials in the case diary do not suggest that the victim suffered grievous hurt.

Co-accused was enlarged on bail by the jurisdictional Court.

The police filed charge sheet.

In such circumstances, we grant anticipatory bail to the petitioner no.2, namely, Rakesh Mondal.

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 condition that the petitioner no.2 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 petitioner no.2 in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner no.2, namely, Rakesh Mondal, is allowed.

C.R.M. (A) 723 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)