

22.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 782 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliganj** Police Station Case No. **794** of **2022** dated **14.12.2022** under Sections 341/325/326/354/34 of the Indian Penal Code.

And

In Re : Samsul Mondal @ Samsilhaque Mondal

..... petitioner

Mr. Sumanta Das

Ms. Mallika Manna

....for the petitioners

Ms. Sreeparna Das

....for the State

Petitioner claims parity with the other co-accuseds, who were enlarged on anticipatory bail by the order dated February 16, 2023 passed in CRM(A) 690 of 2023.

Learned advocate appearing for the State refers to the materials in the case diary and, in particular, to the nature of injury suffered by the injured.

The injury of the injured was considered on February 16, 2023 and found not to suggest sufferance of grievous hurt.

In such circumstances, there is substance in the claim for parity with the other co-accused, who were enlarged on anticipatory bail.

Consequently, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 shall meet the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner 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 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.)