

13.03.2023

38

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 970 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Domkal** Police Station Case No. **32** of **2023** dated **12.01.2023** under Sections 341/323/354/308/34 of the Indian Penal Code.
And

In Re : Niajuddin Seikh @ Niju & Ors.

..... petitioners

Mr. Robiul Islam

Mr. Ali Ahsan Alamgir

Ms. Pramita Banerjee

....for the petitioners

Mr. Pravash Bhattacharya

Mr. M.F.A. Begg

....for the State

Apparently, the nature of injuries suffered by the victim do not suggest that the victims suffered grievous hurt.

Apparently, there was a free fight with regard to a construction dispute. Both the parties received injuries.

Considering the gravity of the offence and the involvement of the petitioners in the incident, 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

petitioners shall meet the Investigating Officer once a month 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.)