

38 14.03.2023
(AD) Court No.29
(Allowed)

C.R.M. (A) 1051 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rajnagar** P.S. Case No.**04 of 2023** dated **27/01/2023** under Sections **323/325/307/34** of the Indian Penal Code, 1860.

And

In the matter of: **Sk. Sajjad @ Sekh Sazad & Ors.**

....petitioners.

Mr. Shamik Chatterjee
Mr. Aditya Bikram Mahata
Mr. Sahil Kabir

...for the petitioners.

Ms. Zareen N. Khan
Mr. Asif Dewan

...for the State.

Petitioners pray for anticipatory bail.

There is a counter police complaint.

Apparently, a free fight took place between the private parties.

The injury report of the victim in the present police case 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/- (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 further condition that the petitioner no.1 will report before the Investigating Officer once a month till the conclusion of the

investigation and petitioner nos.2,3 and 4 will cooperate with the investigation 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 1051 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)