

15.03.2023
12
Ct. No. 29
CHC
Allowed Partly

C.R.M.(A) 1063 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Keshpur** Police Station Case No. **347** of **2022** dated **18.12.2022** under Sections **448/323/325/307/34** of the Indian Penal Code, 1860.

And

In the matter of : Badiruddin Chowdhury & anr.

..... petitioners

Mr. Amit Ranjan Pati,
Mr. Sunayan Ghosh

....for the petitioners

Mr. Sujan Chatterjee

....for the State

Mr. Somnath Mukherjee

...for the de facto complainant

Apparently, a free fight took place between the parties over a dispute relating to a boundary wall.

The injury suffered apparently are simple in nature.

The de facto complainant is represented.

Learned advocate appearing for the de facto complainant submits that there are three police cases between the parties.

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 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 no.1, namely, Badiruddin Chowdhury shall meet the Investigating Officer once in a month till the conclusion of investigation and petitioner no.2, namely, Taslima Khatun @ Begam will cooperate with the investigation and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accuseds 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.)