

17.03.2023

7

Ct. No. 29

CHC

Allowed

C.R.M.(A) 1100 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nazat** Police Station Case No. **18** of **2023** dated **15.01.2023** under Sections **448/325/307/354/379/506/509/34** of the Indian Penal Code, 1860.

And

In the matter of : Niranjan Sardar & anr.

..... petitioners

Mr. Susnigdho Bhattacharyya

....for the petitioners

Mr. P. K. Dutta, Id. A.P.P.

Mr. Pradipta Kumar Ganguly

....for the State

One co-accused was enlarged on anticipatory bail.

The injuries suffered do not suggest requirement of custodial interrogation of the petitioners.

Apparently, there was free fight between the neighbours.

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 petitioners shall report before the

Investigating Officer once in a month till the conclusion of 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.)