

22.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1171 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** Police Station Case No. **552** of **2022** dated **02.12.2022** under Sections 341/325/326/308/506/34 of the Indian Penal Code, 1860.

And

In Re : Bifal Karmakar & Anr.

..... petitioners

Ms. Minoti Gomes

Mr. M. Alam Sk.

Ms. Susmita Ghorai

....for the petitioners

Mr. Joydeep Roy

Ms. Sujata Das

....for the State

Police filed charge-sheet.

There is a previous police complaint amongst the private parties.

Apparently, a free fight took place where the rival parties suffered injuries.

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/- 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 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.)