

24.03.2023
Serial no. 24
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 1219 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Hogalberia** Police Station Case No. **48** of **2023** dated **07.03.2023** under Sections **448/376/325/379/506/34** of IPC.

-And-

In the matter of : **Maidul Malithya @ Malitha & Anr.**
... .. **Petitioners**

Mr. Asraf Mondal, Advocate
... .. *For the Petitioners*

Mr. Abhra Mukherjee,
Mr. Dipankar Mahata, Advocate
... ..*For the State*

The claim recorded in the statement under Section 164 of the Criminal Procedure Code by the victim apparently, at this stage, is not corroborated by any other materials including the medical examination report. Apparently, there was an incident of assault.

In such circumstances, we are inclined to 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 week 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 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 1219 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)