

28.03.2023

31
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1265 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. **499** of **2022** dated **03.11.2022** under Sections **341/326/307/34** of the Indian Penal Code.

And

In the matter of : Edil Sk @ Idil Sekh

..... petitioner

Mr. Kalidas Saha

....for the petitioner

Mr. Shiladitya Banerjee

....for the State

The injury report of the victim classifies the injuries as an accidental cut injury on the scalp. It also goes on to say that there was an alleged physical assault.

The injury was not classified as grievous hurt.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), 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 shall meet the Investigating Officer

once in a month till the conclusion of investigation and on condition that the petitioner 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 petitioner 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.)