

29.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1294 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ghola** Police Station Case No. **41** of **2023** dated **05.02.2023** under Sections 448/323/324/308 of the Indian Penal Code, 1860.

And

In Re : Mukesh Roy

..... petitioner

Mr. Debasish Kar

Mr. Subhajit Chowdhury

....for the petitioner

Mr. Joydeep Roy

Mr. Amanul Islam

....for the State

Apparently, an incident of assault took place.

The case diary, at this stage, does not contain any injury report save and except a photograph of the injury suffered.

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/-, 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 as and when called for till the conclusion of the 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.)