

30.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1349 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Burwan** Police Station Case No. **45** of **2023** dated **10.02.2023** under Sections 341/324/307/354/506/34 of the Indian Penal Code, 1860.

And

In Re : Tota Mollik & Anr.

..... petitioners

Ms. Minoti Gomes

....for the petitioners

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

....for the State

Two other co-accuseds, who are ladies, were enlarged on anticipatory bail by the order dated March 3, 2023 passed in CRM (A) 929 of 2023.

Petitioners claim parity.

The claim of the petitioner is opposed on behalf of the State.

It is submitted on behalf of the State that the petitioners are assailants.

The injury report of the victim suggests that the victim suffered grievous hurt.

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 further condition that the petitioners shall meet the Investigating Officer once a fortnight till the conclusion of the investigation 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.)