

30.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1354 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Paikar** Police Station Case No. **05** of **2023** dated **09.01.2023** under Sections 448/323/326/307/506/34 of the Indian Penal Code, 1860.

And

In Re : Najemaddin Sheikh alias Najemaddin Sk & Anr.

..... petitioners

Mr. Angshuman Chakraborty

Mr. S. S. Saha

....for the petitioners

Mr. Pravas Bhattacharya

Mr. M.F.A. Begg

....for the State

Apparently, an incident of assault took place in which, some persons suffered injuries.

The injuries were classified as grievous hurt.

The injured in their statements recorded under Section 161 of the Code of Criminal Procedure claims that, they were assaulted by bamboo poles.

In such circumstances, considering the nature of the incident, the instruments of assault and the statement of the injured victim, 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.)