

32 05.04.2023
(AD) Court No.29
(Allowed)

C.R.M. (A) 1451 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nalhati** P.S. Case No.**25 of 2023** dated **20/01/2023** under Sections **341/323/324/325/326/307/506/34** of the Indian Penal Code, 1860.

And

In the matter of: **Mobarak Ali & Ors.**

....petitioners.

Mr. Sujoy Sarkar
Mr. Rahul Chachan

...for the petitioners.

Mr. Swapan Banerjee
Ms. Purnima Ghosh

...for the State.

Petitioners pray for anticipatory bail.

An incident of assault took place where apparently, the assailants used bamboo sticks to cause the assault. One person suffered a fracture injury on the nasal bone. Two other injured did not suffer any grievous hurt.

Considering the nature of injuries and the materials in the case diary, 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each to the satisfaction of the Arresting Officer and also 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 nos.1 to 6 will report before the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner nos.7 and 8 will cooperate with the

investigation 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 1451 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)