

24.04.2023

17

Ct. No. 29

CHC

Allowed

C.R.M.(A) 1723 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **291** of **2023** dated **10.04.2023** under Sections **448/ 323/ 325/ 307/ 506 /34** of the Indian Penal Code, 1860.

And

In the matter of: Santosh Mridha & ors.

..... petitioners

Ms. Minoti Gomes,
Mr. Amanul Islam,
Mr. Sourav Mukherjee

....for the petitioners

Mr. Prasun Kr. Datta, Ld. A.P.P.
Mr. Nirupam Dhali

....for the State

In an incident of assault, a child was apparently injured. Injury was not classified as grievous hurt. The injured claimed before the doctor that he was beaten up by relatives.

Considering the gravity of the offence and involvement of the petitioners in the incident, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners will 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 petitioner no.1, namely, Santosh Mridha will report before the

Investigating Officer once in a month till the conclusion of investigation and petitioner no.2, namely, Kaberi Mridha and petitioner no.3, namely, Archana Mridha will cooperate with the Investigating Officer till the conclusion of the investigation and on further 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.)

(Rai Chattopadhyay, J.)