

24.04.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1741 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **374** of **2023** dated **13.03.2023** under Sections 448/323/326/354/506/34 of the Indian Penal Code, 1860 with adding Section 307 of the Indian Penal Code, 1860.

And

In Re : Firoz Ali @ Firoj Sk. & Anr.

..... petitioners

Mr. M. Alam Sk.

....for the petitioners

Mr. Joydeep Ray

Mr. Amanul Islam

....for the State

Other co-accuseds were enlarged on bail by the Coordinate Bench on April 11, 2023 passed in CRM (DB) 1445 of 2023.

The Coordinate Bench observed that, although the injury was on a vital part of the body, it did not appear to be life threatening.

On the parity of the same reasoning, 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.)

(Rai Chattopadhyay, J.)