

26.04.2023

5

Ct. No. 29

CHC

Allowed

C.R.M.(A) 1764 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No. **97** of **2023** dated **17.04.2023** under Sections **448/323/326/34** of the Indian Penal Code, 1860.

And

In the matter of: Prasanta @ Dayal Kityaniya & anr.

..... petitioners

Mr. Amanul Islam,
Mr. Sourav Mukherjee

....for the petitioners

Mr. Sujan Chatterjee

....for the State

There is a counter complaint. Apparently, an incident of assault took place where the injured suffered simple injuries.

Considering the gravity of the offence and involvement of the petitioners therein, 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 petitioner no.1, namely, Prasanta @ Dayal Kityaniya will report before the Investigating Officer once in a month till the conclusion of investigation and petitioner no.2, namely, Keka Roy Kityaniya @ Keka Roy 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.)