

28.04.2023

19

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1822 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Khargram** Police Station Case No. **67** of **2023** dated **03.03.2023** under Sections 341/325/326/307/506/34 of the Indian Penal Code, 1860.

And

In Re : Nibaran Dalui @ Nibarun Dalui & Anr.

..... petitioners

Mr. Manas Kumar Das

....for the petitioners

Mr. Tanmoy Kumar Ghosh

Mr. Asraf Mondal

....for the State

Leave granted to the learned advocate on record for the petitioner to correct the cause title.

There is a delay in lodgment of the First Information Report of about 70 days from the date of the incident.

The injury suffered was not classified as grievous hurt.

In such circumstances, 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 month 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.)