

15 02.05.2023
(AD)
Court No.29
(Allowed)

C.R.M. (A) 1848 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** P.S. Case No.**319 of 2023** dated **22/04/2023** under Sections **447/427/323/325/307/34** of the Indian Penal Code, 1860.

And

In the matter of: **Biswajit Sarkar & Anr.**

....petitioners.

Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioners.

Mr. Anwar Hossain
Mr. Arif Ekbal Molla

...for the State.

Petitioners pray for anticipatory bail.

There is a civil suit is pending between the private parties.

Learned Advocate appearing for the State submits that the case diary does not contain any injury report.

Investigations of the police are with regard to hurt as well as attempt to murder.

Absence of injury reports are a pointer.

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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer as and when called for 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) 1848 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)