

10.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1919 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nalhati** Police Station Case No. **05** of **2023** dated **06.01.2023** under Sections 323/324/325/326/307/354/506/34 of the Indian Penal Code, 1860.

And

In Re : Rahul Mondal & Anr.

..... petitioners

Mr. Saikat Chatterjee

Mr. Abdur Rakib

Mr. Puranjan Pal

....for the petitioners

Ms. Faria Hossain

Ms. Baisali Basu

Ms. Mamata Jana

....for the State

The present police complaint was lodged pursuant to an order under Section 156(3) of the Code of Criminal Procedure (Cr.P.C.).

There is an earlier police complaint as against the de-facto complainant lodged at the behest of one of the relatives of the petitioners.

There is an issue of false implication involved.

The injury suffered was not classified as grievous hurt.

Consequently, 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.)