

16.05.2023

Sl.5

Court No.29

(AD)

(Allowed)

C.R.M. (A) 1991 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Mothabari** Police Station Case No. **408 of 2022** dated **11.10.2022** under Sections **448/325/326/307/34** of the Indian Penal Code.

And

In the matter of: **Samiul Sk & Anr.**

....petitioners.

Mr. Amitabha Karmakar

Mr. Arup Kumar Bhowmick

...for the petitioners.

Mr. Iqbal Kabir

...for the State.

Petitioners pray for anticipatory bail.

There are civil disputes between the private parties.

Three persons suffered injuries in an incident of assault.

All the injuries were classified as severe.

Two of the injured received cut injuries.

Police filed charge sheet.

Considering the gravity of the offence and the involvement of the petitioners in the incident, 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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 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) 1991 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)