

16.05.2023

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Ct. No. 29
CHC
Allowed

C.R.M.(A) 1993 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **558** of **2022** dated **08.07.2022** under Sections **279/338/307/354/379/506** of the Indian Penal Code, 1860.

And

In the matter of : Srikanta Biswas

..... petitioner

Ms. Minoti Gomes,
Mr. Amanul Islam,
Mr. Sourav Mukherjee
....for the petitioner

Mr. Noguive Ahmed, Ld. A.P.P.
Mrs. Trina Mitra,
Ms. Ayantika Roy
....for the State

In an incident of assault, one person suffered injury. The injury report states that the injured complained of pain in the lateral side of the left thigh.

As to whether, a case under Section 307 of the Indian Penal Code, 1860 is made out or not on the basis of the injury report, is debatable.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), 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 petitioner shall meet the Investigating Officer once in a month till the conclusion of investigation and on condition that the petitioner 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 petitioner 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.)