

16.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2011 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sutahata** Police Station Case No. **266** of **2022** dated **25.08.2022** under Sections 307/323/326/34/341/506 of the Indian Penal Code, 1860.

And

In Re : Sumitra Hait

..... petitioner

Mr. Suman De

....for the petitioner

Mr. Shiladitya Banerjee

....for the State

Apparently, a dispute with regard to a fast food stall deteriorated into an incident where, persons suffered burn injuries. Hot oil was thrown on the injured by the principal accused. Principal accused was taken into custody and subsequently, enlarged on bail by the Jurisdictional Court. The role ascribed to the present petitioner before us, by the injured, is one of participating in verbal abuse.

Police filed charge-sheet. However, police were directed to investigate further.

In view of the role ascribed by the injured to the petitioner as appearing from the materials in the case diary, 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/-, 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 cooperate with the Investigating Officer till the conclusion of the 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.)