

17.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2028 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nakashipara** Police Station Case No. **791** of **2022** dated **08.10.2022** under Sections 325/379/427/34 of the Indian Penal Code and adding Section 307 of the Indian Penal Code.

And

In Re : Ashis Sarkar

..... petitioner

Mr. Asraf Mondal

....for the petitioner

Mr. Bidyut Kumar Roy

Ms. Rita Dutta

....for the State

Police filed charge-sheet.

There are pre-existing disputes relating to an immovable property between the private parties.

The injury report does not classify the injury suffered as grievous hurt. A cut injury over scalp and bruise over back and arms were found.

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/-, 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 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.)