

17.05.2023

Serial no. 25

[Dd]

(Anticipatory Bail)

(Allowed)

CRM (A) 2033 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. **53** of **2023** dated **27.02.2023** under Sections **448/325/326/307/34** of the Indian Penal Code.* *-And-*

In the matter of : **Indrajit Mandal & Ors.**

... .. Petitioners

Mr. Arup Kumar Bhowmick, Advocate

... .. For the Petitioners

Mr. Joydeep Roy, Jr. Govt. Adv.

Mr. Amanul Islam, Advocates

... ..For the State

An incident of assault took place. The police complaint was lodged 4 months after the date of the incident. None of the injuries were classified as grievous hurt.

Considering the gravity of the offence and the involvement of the petitioners in the incident as also the delay in lodgment of the first information report, we are inclined to 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 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 report before the Investigating Officer once in a month till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 2033 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)