

18.05.2023

28

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2065 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **252** of **2023** dated **09.03.2023** under Sections 447/341/323/324/325/326/307/379/427/34 of the Indian Penal Code.

And

In Re : Lal Miya Sk. @ Sekh & Ors.

..... petitioners

Mr. Kaushik Chowdhury

Ms. Busra Khatun

....for the petitioners

Mr. Tanmoy Kumar Ghosh

Ms. Sonali Bhar

....for the State

In an incident of physical assault, the injuries suffered were not classified as grievous hurt.

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/- 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 petitioner nos. 1 (Lal Miya Sk. @ Sekh), 2 (Khatiruddin Sk), 3 (Safik Sk @ Md Safik Alam), 4 (Rafik Sk @ Rafik Alam), 7

(Manjur Islam @ Manjur Alam), 8 (Nasiruddin Sk. @ Mahammad), 9 (Meherun Sk), 10 (Jamrul Sk @ Jabrul Sekh), 11 (Rasidul Sk @ Rasid Sekh) and 12 (Abed Ali) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner nos. 5 (Nurnihar Khatun @ Nihari Bibi) and 6 (Lalbanu Khatun) shall cooperate with the Investigating Officer till the conclusion of the investigation 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)