

19.05.2023

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Ct. No. 29
CHC
Allowed

C.R.M.(A) 2074 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **308** of **2022** dated **15.06.2022** under Sections **341/323/324/307/34** of the Indian Penal Code.

And

In the matter of : Jiabul Haque @ Jiaul Hoque

..... petitioner

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

Mr. Avishek Sinha
....for the State

Police filed charge-sheet.

Apparently, there are civil disputes pending between the private parties. A civil suit is also pending. An incident of assault took place.

Injury report suggests that there was a physical assault leading to head injury. The injuries were not classified as grievous hurt.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner in the incident, 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 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.)