

19.05.2023

14

Ct. No. 29

CHC

Allowed

C.R.M.(A) 2083 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Khayrasole** Police Station Case No. **30** of **2023** dated **29.03.2023** under Sections **341/323/325/386/34** of the Indian Penal Code, 1860.

And

In the matter of : Subodh Ghosh & ors.

..... petitioners

Mr. Kunal Ganguly

....for the petitioners

Mr. Prasun Kr. Datta, Ld. A.P.P.

Mr. Nirupam Dhali

....for the State

Apparently, an incident of assault took place. The injuries were not classified as grievous hurt.

Petitioners claim to subscribe to a political ideology which is in opposition to the present ruling party.

There is an issue of false implication also.

In such circumstances, 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/- (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 meet the Investigating Officer once in a month till the conclusion of 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.)