

CRM(A) 2405 of 2023

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No.946 of 2021 dated 08-08-2021 under Sections 448/323/325/326/307/34 of the Indian Penal Code.

- A n d -

In the matter of : Amal Poddar & Anr.

.... Petitioners.

Mr. Sujoy Sarkar,
Mr. Musharraf Alam Sk.,
Ms. Susmita Ghorai

... For the Petitioners.

Mr. Pravash Bhattacharya,
Ms. Kumkum Mitra

... For the State.

The petitioners pray for pre-arrest bail. They say that there was scuffle between them and their father, who is the victim. They did not intend to cause any injury. It was accidental. They are prepared to cooperate with the Investigating Officer fully.

We have seen the material in the Case Diary including the injury reports.

Considering the nature and gravity of the allegations, the extent of injury and the statements of witnesses on record, we are of the view that immediate custodial interrogation of the petitioners is not necessary so long as they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely, **Amal Poddar** and **Bimal Poddar**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten

Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. The petitioners shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that the petitioners shall report to the Investigating Officer once every fortnight till completion of investigation.

In case the petitioners fail to adhere to any of the conditions stipulated in Section 438(2) of the Code of Criminal Procedure, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM (A) 2405 of 2023 is, thus, **allowed**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)