

06.07.2023

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Allowed

C.R.M. (A) No. 2769 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ilambazar Police Station Case No. 124 of 2023 dated 18.06.2023 under Sections 341/324/325/326/307/506/34 of the Indian Penal Code.

And

In Re : Sri Shibdas Ghorui & Ors. petitioners

Mr. Krishnend Bhattacharjee
Mr. Priyankar Ganguly
Mrs. Roma Roy
Mr. Santanu Talukdar

.....for the petitioners

Mr. Saibal Bapuli ,learned APP
Mr. Arani Bhattacharyya

....for the State

Learned Counsel for the petitioners submits that there was a free fight. They have been falsely implicated.

Learned Counsel for the State opposes the prayer for anticipatory bail.

We have considered materials on record including the injury report. Petitioners are not named as the assailants in the injury report. In view of extent of complicity of the petitioners in the crime we are inclined to grant anticipatory bail to them.

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 condition that the petitioners shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)