

28.07.2022
tkm/ct 28
sl no. 43

C.R.M. (A) 2835 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Baduria P.S case no. 319 of 2023 dated 27.5.2023 under sections 447/323/325/307/354/506/34 IPC

And

Allowed

In Re : Golam Rasul

..... petitioner

Mr. S Basu
Ms. Ranu Mondal

..... for the petitioner

Mr. S S Imam
Ms. R Jana

..... for the State

It is submitted on behalf of the petitioner that there was free fight between the parties. Case and counter case were registered. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

Learned lawyer for the de facto complainant also opposes the bail prayer. He contends five persons were injured.

We have considered the materials on record. It appears that there was free fight between the parties. Though a number of persons were injured, injuries do not appear to be grievous.

In view of the aforesaid circumstances we are of the opinion though custodial interrogation of the petitioner is not necessary, petitioner requires to be subjected to restrictions in order to prevent commission of similar offence.

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, 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 while on bail shall not enter the jurisdiction of Baduria P.S. until further orders except for the purpose of investigation and attending court proceeding and shall report to the concerned officer in charge within whose jurisdiction he shall reside while on bail once in a week until further orders and shall provide the address where he shall presently reside while on bail to the investigating officer as well as court below.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) 2835 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)