

04.08.2023
Sl. No.22(S/L)
as
[ALLOWED]

C. R. M. (A) 2866 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Rajapur Police Station Case No. 61 of 2023 dated 24.03.2023 under Sections 341/506/436/34 of the Indian Penal Code.

And

In Re: ***Sk. Ajijul Hossain @ Sk. Azizur Hossain & Ors.***
... .. Petitioners

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder.
... .. for the petitioner

Mr. Angshuman Chakraborty.
... .. for the State

It is submitted on behalf of the petitioner there are case and counter case between the parties. He has been falsely implicated. He prays for anticipatory bail.

Learned Advocate for the State opposes the prayer for anticipatory bail. He submits petitioner had set fire to the house causing injuries on the victims.

We have considered the materials on record. There is prior enmity between the parties. Injury report does not disclose burn injuries on the victims.

Keeping in mind the aforesaid circumstances, we are of the opinion petitioner may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accuseds/petitioners viz., Sk. Ajijul Hossain @ Sk. Azizur Hossain, Sk. Amjed Ali @ Sk. Amjed and Sk. Raju @ Sk. Ajahar @ Raju 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 subject to the conditions as laid down

under Section 438(2) of the Code of Criminal Procedure, 1973 and they shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)