

Supple.2
ss
Allowed

28.07.2023

C.R.M.(A) 2893 of 2023

In the matter of : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Dadpur P.S. Case No. 152 of 2023 dated 11.06.2023 under sections 341/325/307/506/34 of the Indian Penal Code.

And

In the matter of : Sekh Abdul Jahid alias Sekh Jahid

Mr. Suman Chakraborty

... ... for the petitioner

Mr. Zareen N. Khan

Mr. Asif Dewan

... ... for the State

Learned lawyer for the petitioner submits that there was dispute over passage of drainage water. A quarrel ensued. He has been falsely implicated.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. The incident occurred in course of a sudden quarrel. Whether injuries are grave that may be considered during trial.

Keeping in mind the aforesaid circumstances, we are of the opinion that custodial interrogation of the petitioner is not necessary and we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer

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

This application for anticipatory bail is, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)