

17.08.2023
S/L 29
Ct.No.28
SKB
(Allowed)

CRM (A) 3365 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Gazole P. S. Case No.81 of 2023 dated 02.02.2023 under Sections 448/427/325/379/354A/326/308/34 of the Indian Penal Code (G.R. Case No.633 of 2023)

And

In the matter of : Sunil Murmu

.... Petitioner

Mr. Musharraf Alam Sk.

... for the Petitioner

Mr. Binay Panda,
Mr. Subham Bhakat

... for the State

1. Petitioner submits he has been falsely implicated in this case. He prays for anticipatory bail.
2. Learned counsel for the State opposes the prayer for anticipatory bail. He submits injury is grievous.
3. We have considered the materials on record. Allegations of assault are general and omnibus. It is alleged petitioner and co-accused assaulted but a single injury is found on the forehead, which is grievous. It is unclear whether the petitioner is the author of the said injury. Other injuries are simple in nature.
4. In such circumstances, we are inclined to grant anticipatory bail to the petitioners.

5. Accordingly, we direct that in the event of arrest, the petitioner be released on bail 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 also 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.
6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)