

16.08.2023
Supp. Sl. No.9
akd
[ALLOWED]

C. R. M. (A) 3383 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 01.08.2023 in connection with Raninagar Police Station Case No. 359 of 2023 dated 10.07.2023 under Sections 341/307/324/325/326/427/34 of the Indian Penal Code.

And

In Re: ***Ruhul @ Ruhul Amin***

... .. Petitioner

Mr. Mrityunjoy Chatterjee
Mr. Manas Das
Mr. Debapriya Majumder

... .. for the petitioner

Mr. Saswata Gopal Mukherji .. Id. Public Prosecutor
Ms. Faria Hossain
Ms. Mamata Jana

... .. for the State

1. Leave is granted to the learned Advocate-on-record for the petitioner to correct the cause title in course of the day.
2. It is submitted on behalf of the petitioner that he is a successful candidate in the Panchayat Samity election. As a result, he has been falsely implicated. Accordingly, he prays for anticipatory bail.
3. Learned Advocate for the State opposes the prayer for anticipatory bail and submits victim was assaulted and hospitalised.
4. We have considered the materials on record. Medical report shows victim was assaulted and hospitalised. Statements with regard to the extent of involvement of the petitioner are generic and do not attribute specific overt act. Under such circumstances, we are of the opinion though custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case, he has to cooperate with the Investigating Agency.
5. Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Ruhul @ Ruhul Amin***, 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 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 meet the Officer-in-charge, Raninagar Police Station once in a week until further orders. He 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.)