

17.08.2023
tkm/ct 28
spl no. 21

C.R.M. (A) 3542 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Debra P.S case no. 322 of 2023 dated 27.6.2023 under sections 341/326/307/34 IPC
And

Allowed

In Re : Inam Reja Khan Ors. petitioners

Mr. S Das Mahapatra
Ms. M Sinha

..... for the petitioners

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty

..... for the State

Mr. Arindam Jana
Mr. S Chatterjee
Mr. P P MSinha

..... for the victim

1. Petitioners submit that there was monetary dispute between the parties. A free fight ensued. Petitioners were also injured. They pray for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail. He submits petitioners assaulted the victim on the head. He suffered serious injuries.
3. Learned lawyer for the de facto complainant also opposes the prayer for anticipatory bail.
4. We have considered the materials on record. There was monetary dispute between the parties. A free fight ensued. Injuries were received by both parties. Appreciating the nature of injury in the light of the aforesaid circumstances, we are of the opinion custodial interrogation of the petitioners may not be necessary but they require cooperating with investigation in accordance with law.

5. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two sureties of like amount each, 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 petitioners while on bail shall meet the investigating officer once in a week until further orders.

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

7. The application being CRM (A) 3542 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)