

08.09.2023

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[Allowed]

C. R. M. (A) 3760 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 321 of 2023 dated 23.06.2023 under Sections 341/325/307/506/34 of the Indian Penal Code.

In Re: ***Kuddus Ali @ Md. Kuddus Ali.***

... .. Petitioner

Mr. Mrityunjoy Chatterjee,
Mr. Manas Das.

... .. for the petitioner

Mr. S. S. Imam,
Mr. S. Kundu.

... .. for the State

1. Petitioner is a successful candidate in the ensuing Panchayat election. He contends he has been falsely implicated. He prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record including the injury report. Whether the injury is life threatening may be assessed during trial.
4. Keeping in mind the materials on record and as possibility of false implication due to political rivalry cannot be ruled out, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner viz., Kuddus Ali @ Md. Kuddus Ali be released on bail upon furnishing a bond of Rs.10,000/-, 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 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)