

08.09.2023
tkm/ct 28
spl no. 64

C.R.M. (A) 3849 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ghati P.S case no. 96 of 2023 dated 9.7.2023 under sections 341/323/325/307/506/34 IPC
And

Allowed

In Re : Trilochan Ghosh & Ors. petitioners

Mr. Kallol Mondal
Mr. K Ray
Mr. S Das
Mr. A Banerjee

..... for the petitioners

Mr. Swapan Banerjee
Ms. Purnima Ghosh

..... for the State

Petitioners submit that there was dispute between the parties. In the course of quarrel victim fell down and suffered head injury. They pray for bail.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered materials on record including the injury report. Out of two injuries, one is simple. The other injury is on a vital part of the body i.e. head. The victim was treated as a outdoor patient. He was not admitted in hospital. Whether the injury is life threatening is to be assessed in the light of the aforesaid circumstances during trial. Hence, we are inclined to grant anticipatory bail to the petitioners.

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.

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

The application being CRM (A) 3849 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)