

09.10.2023

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as/sdas
Allowed

C.R.M. (A) No. 4457 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Keshiary Police Station Case No. 204 of 2023 dated 25.07.2023 under Sections 341/324/326/307/379/506/34 of the Indian Penal Code.

And

In Re : Nani Gopal Kundu @ Nanigopal Kundu @ Gopal Kundu & Ors. petitioners

Mr. Palash Bapari

.....for the petitioners

Mr. Arijit Ganguly
Mr. Avik Ghatak

....for the State

1. Learned Counsel of the petitioners submits there was a land dispute between the parties. They have been falsely implicated. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record including the injury report. Whether the injuries are life threatening may be assessed during trial. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

4. 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 condition that they shall appear before the court below and pray for regular bail within a period of four weeks from date.

5. This application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)