

09.10.2023

14
as/sdas
Allowed

C.R.M. (A) No. 4484 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Harishchandrapur Police Station Case No. 863 of 2023 dated 16.08.2023 under Sections 341/325/326/307/34 of the Indian Penal Code.

And
In Re : Maruf & Ors. petitioners

Mr. Sagar Saha
.....for the petitioners

Mr. Prasun Kumar Datta, learned APP
Mr. Nirupam Dhali
....for the State

1. Learned Counsel of the petitioners submits there was a land dispute between the neighbours. 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. Keeping in mind the aforesaid facts, 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.)