

10.10.2023
tkm/ct 28
spl no. 13

C.R.M. (A) 4574 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kharagpur (L) P.S case no. 595 of 2023 dated 23.7.2023 under sections 341/323/354B/379/307/34 IPC
And

Allowed

In Re : Musha Bishwas petitioner

Mr. Soumik Ganguli
Mr. S Shasmal

..... for the petitioner

Mr. Arijit Ganguly
Mr. Amanul Islam

..... for the State

1. It is submitted on behalf of the petitioner that there is civil dispute between the parties. Civil suits are pending. He prays for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Civil suits are pending between the parties. Whether the injury is life threatening may be assessed during trial.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner shall 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 be subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

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

7. The application being CRM (A) 4574 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)