

01.12.2023
tkm/ct 28
sl no.73

C.R.M. (A) 4832 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Mothabari P.S case no. 157 of 2023 dated 28.5.2023 under sections 447/325/326/307/506/34 IPC
And

Allowed

In Re : Goutam Mandal & Anr.

..... petitioners

Mr. A K Bhowmick

..... for the petitioners

Mr. Arijit Ganguli

Mr. Avik Ghatak

..... for the State

1. Petitioners submit co-accused have been granted pre-arrest bail. They pray for bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record including the statements of the witnesses. Petitioner no. 1 caused grievous injury with a sharp cutting injury i.e. hesua. Hence, we are not inclined to grant bail to him.
4. Petitioner no. 2 stands on the same footing with co-accused who are on anticipatory bail. Hence, we are inclined to grant anticipatory bail to him.
5. Accordingly, we direct that in the event of arrest, the petitioner no. 2 i.e. Sidam Mandal 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 no. 2 shall appear before the court below and pray for regular bail within four weeks from date.
7. The application being CRM (A) 4832 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)