

01.12.2023
tkm/ct 28
sl no.76

C.R.M. (A) 4926 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Nakashipara P.S case no. 789 of 2023 dated 20.9.2023 under sections 341/325/326/307/34 IPC
And

Allowed

In Re : Tapas Sardar @ Tapas Sardar petitioner

Mr. S Bhattacharjee

..... for the petitioner

Mr. Joydeep Roy

Mr. Amanul Islam

..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record including the injury report. Injury is simple. Whether ingredients of section 307 IPC are disclosed requires to be assessed in the light of the nature of injury and other attending circumstances. Hence, we are inclined to grant anticipatory bail to the petitioner.
3. 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 and on further condition that the petitioner shall meet the investing officer once in a week until further orders.
4. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.
5. The application being CRM (A) 4926 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)