

01.12.2023
tkm/ct 28
sl no.77

C.R.M. (A) 4966 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Gazole P.S case no. 699 of 2023 dated 26.8.2023 under sections 341/323/325/35B/307/379/427/506/34 IPC
And

Allowed

In Re : Uttam Chowdhury @Uttam Choudhury petitioner

Mr. K Saha

..... for the petitioner

Mr. Debabrata Chattejee

Mr. Santanu Chattejee

..... for the State

1. Petitioner submits that the dispute arose over use of a village path.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Incident occurred on the spur of moment and is not a premeditated one. No material to show that injuries are grievous has been placed on record.
4. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.
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 and on further condition that the petitioner shall meet the investigating officer once in a week until further orders.
6. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.
7. The application being CRM (A) 4966 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)