

03.01.2023
Serial no.21
Aloke

CRM (A) 6030 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No. 963 of 2022 dated 26.10.2022 under Sections 448/427/325/326B/34 of the Indian Penal Code.

-And-

In the matter of : **Arun Mahato**

... .. Petitioner

Mr. Amanul Islam, Advocate

Mr. Sourav Mukherjee, Advocate

... .. For the Petitioner

Ms. Faria Hosain, Advocate

Ms. Baisali Basu, Advocate

Ms. Mamata Jana, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

The victim claims that she was able to move away from the acid when it was thrown towards her. No medical evidence of acid being thrown at the victim exists at this stage.

At this stage, the police are unable to seize any acid which implicates the petitioner in the incident.

In such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 the petitioner will report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner

in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 6030 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)