

AB
(Allowed)

While opposing the prayer for anticipatory bail, learned Advocate for the State draws attention of this Court to the injury report of the victim which prima facie does not attract the provisions of Section 307 IPC. However, our view is tentative in nature and the learned Trial Court shall not be influenced by our aforementioned observation.

Keeping in mind the aforementioned circumstances and considering the fact that this is not a fit case for custodial trial, we are inclined to allow the prayer for anticipatory bail of the petitioner.

Accordingly, in the event of arrest, the petitioner, namely Anil Roy shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that the present accused petitioner shall meet the Investigating Officer once in a week till submission in Final Form.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. (A) No.458 of 2023 is, thus, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)

