

16.01.2024

Serial no. 15

Anticipatory bail

[Allowed]

Dd

CRM (A) 106 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kotulpur** Police Station Case No. **339** of **2023** dated **04.12.2023** under Sections **448/323/354/427/506/34** of the Indian Penal Code, 1860.*

(G.R. Case No. 1499 / 2023)

-And-

*In the matter of : **Srikanta De***

*... .. **Petitioner***

Ms. Pampa Dey (Dhabal), Advocate

... .. For the Petitioner

None appears for the State despite service.

Apparently, there is a previous title suit pending between the private parties. There also subsists an order of injunction.

Apparently, an incident of assault took place allegedly due to violation of the order of injunction.

The previous incident under which the police case was registered does not involve grievous hurt.

In such circumstances, we 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 further condition that the petitioner shall report before the Investigating Officer once in a month 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) 106 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)