

17.01.2024
Item No.10
Ct. No. 29
CHC
Allowed

C.R.M.(A) 118 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Islampur** Police Station Case No. **400/2023** dated **28.09.2023** under Sections **341/324/325/308/354/354B/34** of the Indian Penal Code.

And

In the matter of : Mukles Sk @ Muklesur Rahaman
..... petitioner

Mr. Tapodip Gupta,
Mr. Suman Bhanja
....for the petitioner

Mrs. Mamata Jana
....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the State draws the attention of the Court to the materials in the Case Diary.

In an incident of assault, mother and the child received injuries.

Mother recorded her statements under Section 161 and 164 of the Criminal Procedure Code.

In the 164 statement she speaks of physical assault on her by the petitioner.

Police filed charge-sheet.

We perused the injury report of the baby. The injury report suggests that the baby fell from the lap of the mother and therefore received injuries.

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 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 118 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)