

24.01.2024

Serial no. 06

Anticipatory Bail

[Allowed]

Dd

CRM (A) 185 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Tarakeswar** Police Station Case No. **459** of **2023** dated **27th** day of **November, 2023** under Sections **448/323/325/307/427/379/435/34** of the Indian Penal Code, 1860.
(G.R. Case No. 2096 /2023)*

-And-

In the matter of : **Sk. Monirul @ Akash & Ors.**
... .. **Petitioners**

Mr. Shiladitya Banerjee, Advocate
... .. *For the Petitioners*

Mr. Pinak Kr. Mitra, Advocate
... .. *For the State*

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners raised objection with regard to working of land mafia. An incident of assault took place where, associates of petitioners suffered injuries. There is a counter police complaint also with regard to the incident.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

A number of persons received injuries in the incident of assault. Although, injured complained of receiving gunshot injury before the doctor examining them, the doctor did not find such injury on any of the injured, in the present police case. None of the injuries were classified as grievous hurt. Provisions of the Arms Act were not invoked.

In such circumstances, considering the nature of the incident and the injury suffered by the injured, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 petitioners shall report before the Investigating Officer once in a month till the conclusion of the investigation and on further condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 185 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)