

02.02.2024

07
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 322 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nakashipara** Police Station Case No. **662 of 2023** dated **10.08.2023** under Sections **447/325/326/307/34** of the Indian Penal Code.

And

In Re: Majbul Sk

..... petitioner

Mr. Asraf Mondal

....for the petitioner

Mr. Bibaswan Bhattacharya

...for the State

One person received injuries in an incident of assault claimed to be occurring due to disputes over boundary wall.

Injured in his statement under Section 161 of the Cr.P.C. does not name the petitioner before us as the person who caused the trauma on his head leading to hematoma.

Considering the nature of participation of the petitioner in the incident as transpiring from the statement of the injured, 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/-, 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. The petitioner will report before the Investigating Officer once a fortnight till the conclusion of the

investigation. 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.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)