

23.02.2024

Serial no. 10

Anticipatory Bail

[Allowed]

Dd

CRM (A) 603 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Pukhuria** Police Station Case No. **550** of **2023** dated **01.12.2023** under Sections **341/323/325/307/436/427/34** of the Indian Penal Code, 1860.*

-And-

In the matter of : **Afjal Hossain & Ors.**

... .. Petitioners

Mr. Sujoy Sarkar,

Mr. Musharraf Alam Sk.

Mr. Rahul Chachan,

Ms. Sushmita Ghorai, Advocates

... .. For the Petitioners

Ms. Sreyashi Biswas, Advocate

... ..For the State

Case diary does not contain injury report of any of the injured.

There are statements in the case diary which claim that, the petitioners assaulted some persons and set a boat on fire.

There is a seizure list with regard to a burnt boat.

Their complicity in the incident may be decided at the trial.

Considering the nature of the incident and the involvement of the petitioners therein, 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 fortnight 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) 603 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)