

29.02.2024
01
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 680 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baruipur** Police Station Case No. **1634 of 2023** dated **05.12.2023** under Sections **448/341/323/379/506/34** of the Indian Penal Code and Section **8** of the POCSO Act.

And

In Re : **Bholanath Sarkar & Anr.**

..... petitioners

Mr. Angshuman Chakraborty

...for the petitioners

Mr. Bitasok Banerjee

...for the State

An incident of assault took place.

Apparently, petitioner no. 1 received injuries in such incident. He lodged a police complaint.

So far as the present police complaint is concerned, learned advocate appearing for the State on the basis of the written instructions submits that the case diary does not contain any injury report.

In such circumstances, 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/- 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. The petitioners will report before

the Investigating Officer once a month till the conclusion of the investigation. 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)