

29.02.2024

DL-9

Court No.29

(AD)

(Partly
Allowed)

C.R.M. (A) 704 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No.**1030 of 2022** dated **09.11.2022** under Sections **447/427/325/326/308/34** of the Indian Penal Code, 1860.(G.R. Case No.3086 of 2022).

And

In the matter of: **Farijuddin & Ors.**

....petitioners.

Mr. Soupal Chatterjee

Mr. Prabir Das

Ms. Sucheta Banerjee

...for the petitioners.

Mr. Pinak Kumar Mitra

... for the State.

Four persons suffered injuries in an incident of assault.

Of the four persons, one person suffered grievous hurt.

He names the petitioner no.3 as the assailant.

Considering the role played by the petitioner no.3 in the incident of assault, we are unable to grant anticipatory bail to the petitioner no.3 (Hefaj Ali @ Hafajuddin).

Accordingly, the prayer for anticipatory bail of the petitioner no.3 is rejected.

So far as the other petitioners, that is, petitioner nos.1 (Farijuddin) and 2 (Safikul Alam @ Safikul Islam) are concerned, we grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest, the petitioner nos.1 and 2 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition

that the petitioner nos.1 and 2 will report before the Investigating Officer once a fortnight till the conclusion of the investigation and on condition that the petitioner nos.1 and 2 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 nos.1 and 2 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner nos.1(Farijuddin) and 2 (Safikul Alam @ Safikul Islam) is allowed.

C.R.M. (A) 704 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)