

06.03.2024

DL-5

Court No.29

(AD)

(Allowed)

C.R.M. (A) 773 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhabanipur** Police Station Case No.**395 of 2023** dated **12.12.2023** under Sections **307/323/325/379/447/506/34** of the Indian Penal Code, 1860.(G.R. Case No.3640 of 2023).

And

In the matter of: **Rabiul Mallik & Ors.**

....petitioners.

Mr. Navanil De

Mr. Subhrajit Dey

...for the petitioners.

Ms. Sreyashee Biswas

... for the State.

Two persons were injured in an incident of assault. Both suffered lacerated injuries on the scalp. Doctor advised x-ray of the scalp. Such advice was made on December 12, 2023.

The case diary does not contain any x-ray of the scalp of any of the two injured persons.

Considering the nature of incident and the injuries suffered, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once a fortnight till the conclusion of the investigation and on 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 773 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)