

06.03.2024
DL-9
Court No.29
(AD)
(Allowed)

C.R.M. (A) 777 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gazole** Police Station Case No.**998 of 2023** dated **27.12.2023** under Sections **341/323/326/307/34** of the Indian Penal Code, 1860.(G.R. Case No.8780 of 2023).

And

In the matter of: **Mithun Kirtaniya @ Mithun Kirtania**
....petitioner.

Mr. Sourav Chatterjee
Ms. Namrata Chatterjee

...for the petitioner.

Ms. Amita Gaur

... for the State.

Apparently, there was an incident of assault where, number of persons suffered injuries. Petitioner also suffered injuries. Petitioner lodged a police complaint. The present police complaint was lodged three days after the date of the alleged incident and subsequent to the police complaint of the petitioner.

In the police complaint, one injured apparently suffered fracture by a sharp cutting weapon.

Considering the nature of the incident and the involvement of the petitioner therein as well as the materials in the case diary, 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/- (Rupees Ten Thousand Only), 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 will report before the Investigating Officer once a week till the conclusion of the investigation and on condition that 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.

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

C.R.M. (A) 777 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)