

12.03.2024
Item No.15
Ct. No. 29
CHC
Allowed

C.R.M.(A) 874 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** Police Station Case No. **723** of **2023** dated **07.09.2023** under Sections **448/332/333/353/186/325/34** of the Indian Penal Code.

And

In the matter of : Aijuddin Sk. & ors.

..... petitioners

Ms. Minoti Gomes,
Md. Hafiz Ali

....for the petitioners

Mr. Binoy Panda,
Mr. Santanu Deb Roy

....for the State

Petitioners pray for anticipatory bail.

Police filed charge-sheet.

Injured suffered deep multiple cut injury over scalp and bruises around the left arm.

Injury report states that such injuries were caused by user of bamboo stick. Injured recorded a statement under Section 161 of the Criminal Procedure Code where he does not name any assailant.

Apparently, name of the petitioners transpired from a statement of co-accused. Other co-accused were enlarged on anticipatory bail by the jurisdictional Court.

In view of the nature of injury, the incident and the fact that the injured did name the petitioners as assailants, 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 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 874 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)