

19.03.2024

31
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 951 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Budbud** Police Station Case No. **5** dated **16.01.2024** under Sections **341/448/325/326/307/354B/427/34/506** of the Indian Penal Code.

And

In Re : **Sk. Rabiul @ Rabiol Sekh & Ors.**

..... petitioners

Mr. Amajit De

Ms. Shakshi Rathi

...for the petitioners

Mr. Bitasok Banerjee

...for the State

Apparently, an incident of assault took place, which gave rise to two police complaints.

Petitioners also filed a police complaint with regard to such incident.

So far as the present police complaint is concerned, one injured suffered fracture on the left leg.

Considering the fact that a free fight took place and considering the nature of the injury, that is to say that the fracture was not on the vital part of the body of the injured, 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 fortnight 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.)