

21.03.2024

Serial no. 13

Anticipatory Bail

[Allowed]

Dd

CRM (A) 985 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Golabari** Police Station Case No. **64** of **2024** dated **03.03.2024** under Sections **341/323/325/307/34** of the Indian Penal Code, 1860 pending before Ld. Chief Judicial Magistrate, Howrah.*

-And-

In the matter of : **Pankaj Singh & Anr.**
... .. **Petitioners**

Mr. Milon Mukherjee, Sr. adv.
Mr. Soumya Basu Roy Chowdhuri, Advocates
... .. *For the Petitioners*

Mr. Dipankar Paramanick, Advocate
... ..*For the State*

Mr. Rishav Kr. Singh,
Mr. Sagar Kr. Mishra,
Ms. Khushi Gupta,
Mr. Soumalya Dutta, Advocates
... ..*For the de facto complainant*

Petitioners pray for anticipatory bail.

Learned senior advocate appearing for the petitioners submits that the petitioners were falsely implicated.

Learned advocate appearing for the de facto complainant submits that the petitioners are musclemen of the locality. They assaulted the de facto complainant brutally. De facto complainant suffered grievous hurt.

Learned advocate for the State draws the attention of the Court to the injury report of the de facto complainant as also his statement recorded under Section 161 of the Criminal Procedure Code.

Apparently, an incident of assault took place where, petitioners assaulted the de facto complainant.

De facto complainant initially visited the Howrah District Hospital where, an injury report was prepared. The nature of injury there was classified as 'simple but requiring the opinion of the surgeon'. De facto complainant, thereafter, consulted a private medical facility where, fracture on the head of the finger was seen. Additional fracture on nose bone was also seen. Apparently, fracture caused by fist and blow injuries were not on the vital part of the body of the de facto complainant.

In such circumstances, 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 further condition that the petitioners shall report before the Investigating Officer once in a week till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 985 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

