

22.03.2024

Serial no. 14

Anticipatory Bail

[Allowed]

Dd

CRM (A) 1023 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Englishbazar** Police Station Case No. **1967** of **2023** dated **28.11.2023** under Sections **448/325/326/506/34** of the Indian Penal Code, 1860 pending before CJM, Malda.*

-And-

In the matter of : **Namita Mandal & Ors.**

... .. Petitioners

Mr. Musharraf Alam Sk.

Ms. Susmita Ghorai,

Mr. Sujoy Sarkar, Advocates

... .. For the Petitioners

Mr. S. S. Imam,

Ms. Sima Biswas, Advocates

... ..For the State

In an incident of assault, one person suffered injury.

Apparently, such injury was referred for the purpose of x-ray suspecting fracture on the right wrist. Apart from such injury the injured cut in the left leg, right arm and forearm. None of those cut injuries were classified as grievous hurt.

Materials in the case diary do not contain any medical report to suggest that the fracture of the wrist was established.

Considering the nature of the injuries and the incident, 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 petitioner nos. 2 to 5 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 1 shall cooperate with the investigation till its completion 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) 1023 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)