

27.03.2024
05
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 1028 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murshidabad** Police Station Case No. **03** of **2024** dated **02.01.2024** under Sections **341/325/308/506** of the Indian Penal Code pending in the Court of the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad.
And

In Re : **Hiru Mondal** petitioner
Mr. Jisan Iqbal Hossain
...for the petitioners
Mr. Subrata Roy
Mr. Shashanka Shekhar Saha
..for the State

Mr. Ashim Kumar Chakrbaorti
...for the defacto-complainant

Police filed charge sheet.

One person apparently suffered fracture injury. He recorded a statement under Section 161 of the Cr.P.C. where he speaks of physical assault on him by the petitioner. He does not describe the nature of assault.

Considering the fact that the police filed charge sheet and the materials in the case diary, we do not find need for placing the petitioner in custody at this stage.

In such circumstances, 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/-, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)