

02.04.2024

61
S.D./A.D.
Allowed

C.R.M. (A) No. 1061 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Serampore Police Station Case No. 319 of 2017 dated 28.06.2017 under Sections 341/307/34 of the Indian Penal Code and 25/27 of the Arms Act, now pending before the learned Additional Chief Judicial Magistrate, Serampore.

And

In Re : Ghanshyam Ojha petitioner

Ms. Soma Chowdhury (Bandhu)
.....for the petitioner

Mr. Prasun Kumar Dutta
Ms. Sima Biswas
....for the State

1. Petitioner submits no one was injured in the incident. Accordingly, he prays for anticipatory bail.
2. Learned Lawyer for the State submits petitioner had fired at the victim.
3. We have considered the materials on record. No one was injured in course of the incident. Investigation is complete.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
5. 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 and on condition that he shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)