

03.04.2024
tkm/ct 28
sl no. 76

C.R.M. (A) 1088 of 2024

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Harishchandrapur P.S case no. 104 of 2024 dated 16.2.2024 under sections 341/323/324/307/34 IPC

And

Allowed

In Re : Safiur Rahaman @Safikul Alam petitioner

Md. Wasim Akram

..... for the petitioner

Mr. Imran Ali
Ms. Sujata Das

..... for the State

1. Petitioner submits there is a dispute over use of land between the parties. He prays for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered materials on record. We have also examined the injury report. Injury is on a non-vital part of the body i.e. arm.
4. In the light of the aforesaid circumstances it has to be assessed during trial whether ingredients of offence under section 307 IPC are established or not. Hence, 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 further condition

that the petitioner while on bail shall meet the investigating officer once a week until further orders.

6. Petitioner shall appear before the court below and pray for regular bail within four weeks from date.
7. The application being CRM (A) 1088 of 2024 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)