

05.04.2024
Item No.45
AD/SD
Court No.28
(Allowed)

C.R.M. (A) No. 1145 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hogolberia** Police Station Case No. **55 of 2024** dated **24.03.2024** under Sections **448/325/308/354B/509/34** of the Indian Penal Code, 1860 presently pending before the Learned Additional Chief Judicial Magistrate at Tehatta, Nadia. (S.L. No.597 of 2024)

And

In Re : Hirak Bhattacharya & Ors.

..... petitioners

Mr. Amanul Islam
Mr. Sourav Mukherjee

.....for the petitioners

Ms. Sonali Das
Mr. Dipankar Mahata

....for the State

1. Petitioners submit they are neighbours of the de facto complainant. There was prior enmity. They have been falsely implicated. They pray for anticipatory bail.
2. Learned Lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. There is prior enmity between the neighbours. Possibility of false implication cannot be ruled out. Injuries are simple.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.
5. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- 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 condition that they shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.

6. The prayer for anticipatory bail of the petitioners is allowed.
7. **C.R.M. (A) No. 1145 of 2024** is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)