

15.04.2024

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S.D./A.D.

Allowed

C.R.M. (A) No. 1219 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 40 of 2024 dated 17.01.2024 under Sections 341/326/308/506/34 of the Indian Penal Code pending before the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad.

And

In Re : Usman Guni @ Osman Gani & Ors. petitioners

Mr. Sagar Saha
Mr. Nurnobi Sekh

.....for the petitioners

Mr. Sujan Chatterjee

....for the State

1. We have considered the materials on record. There is inordinate delay in lodging FIR. Injury report is not from a Government hospital. Its credibility requires to be assessed during trial.
2. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.
3. 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 they shall appear before the

jurisdictional Court and pray for regular bail within a period of four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)