

18.04.2024
Item No.53
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1251 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Taltala** Police Station Case No. **176/2023** dated **11.12.2023** under Sections **323/307/354/34** of the Indian Penal Code, 1860 pending before the Court of the Learned Additional Chief Metropolitan Magistrate-II, Calcutta.

And

In the matter of : Sudhanshu Kar @ Prem Kar

..... petitioner

Mr. Phiroze Edulji,
Ms. Rajnandini Das
....for the petitioner

Mr. Arnab Chatterjee,
Mr. Abhishek Verma
....for the State

Petitioner before us prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, there is a counter police complaint with the regard to the incident. One accused was granted bail by the jurisdictional Court.

Learned advocate appearing for the State draws the attention of the Court to the materials in the Case Diary. He submits that, four persons suffered injuries with one of them suffering cut injuries inflicted by knife. He draws the attention of the Court to the medical report of the injured as also the statement recorded by the injured.

In an incident of assault, there are two police complaints. In the present police complaint, four persons suffered injuries. One of the injured suffered cut injury on the neck inflicted by a

knife. Such injured implicates one Raju Kar as the person who inflicted such cut injury on his body. Petitioner is not the person identified by the victim as a person who inflicted such cut injury.

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/- (Rupees Ten Thousand only), 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 will report before the Investigating Officer once in a week till the conclusion of investigation and on condition that 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.

CRM(A) 1251 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)