

10.04.2024
Item No.49
AD/SD
Court No.28
(Allowed)

C.R.M. (A) No. 1201 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **1819 of 2023** dated **02.11.2023** under Sections **341/323/325/326/354/506/34** of the Indian Penal Code, pending before the Learned Chief Judicial Magistrate, Malda. (G.R. Case No.7532 of 2023)

And

In Re : Sri Prakash Haldar

..... petitioner

Ms. Mousumi Bhowal

Mr. Ishan Bhattacharya

.....for the petitioner

Mr. Atif Ahmed Siddiqui

....for the State

1. Petitioner contends he has been falsely implicated. Accordingly, he prays for anticipatory bail.
2. Learned lawyer for the State submits petitioner had trespassed in the house of the victims in a drunken condition and assaulted them.
3. We have considered the materials on record. Injuries do not appear to be grievous or life threatening. However, in view of the conduct of the petitioner, we are of the opinion his movement requires to be restricted in order to prevent commission of similar offence.
4. 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 and on further conditions that he shall not enter into English Bazar Police Station until further orders and he shall provide the address where he is presently residing to the investigating agency as well as court below.

5. The prayer for anticipatory bail of the petitioner is allowed.
6. **C.R.M. (A) No. 1201 of 2024** is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)