

18.04.2024
Item No.49
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1243 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **76** of **2024** dated **07.02.2024** under Sections **341/323/325/308/34** of the Indian Penal Code, pending before the Learned Additional Chief Judicial Magistrate, Chanchal, Malda.

And

In the matter of : Mojammel Hoque & ors.

..... petitioners

Mr. Kallol Mondal,
Mr. Krishan Ray,
Mr. Souvik Das,
Ms. Sabnam Laskar

....for the petitioners

Ms. Sonali Das,
Mr. Sourat Nandy

....for the State

Petitioners pray for anticipatory bail.

Four persons suffered injuries in an incident of assault.

None of the injuries were classified as grievous hurt.

Apparently, there are civil disputes between the parties.

Police filed charge-sheet.

Materials in the Case Diary do suggest requirement of placing any of the petitioners in custody particularly in view of the police filing charge-sheet at this stage.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) 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 the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1243 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)