

12.04.2024
Item No.117
Court No.28
CHC
Allowed

C.R.M. (A) 1275 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Gazole Police Station Case No. 888 of 2023 dated 11.11.2023 under Sections 447/341/325/307 and 506 of the Indian Penal Code, pending before the Learned Chief Judicial Magistrate, Malda.

And
In Re : Sudhir Biswas petitioner

Ms. Mousumi Bhowal
.....for the petitioner

Mr. Sanjoy Bardhan
....for the State

Mr. Aman Gupta,
Mr. Ishan Bhattacharya
....for the de facto complainant

1. Petitioner submits there was a dispute between siblings over ancestral property. He prays for anticipatory bail.
2. Learned lawyer for the State opposes the prayer of anticipatory bail and produces the Case Diary.
3. Learned lawyer for the de facto complainant does not oppose the prayer for anticipatory bail.
4. We have considered the materials on record. We have examined the injuries noted in the injury report. Injuries do not appear to be life threatening. Parties

are related to each other. Accordingly, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest the petitioner, namely, Sudhir Biswas 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 court below and pray for regular bail within a period of four weeks from date.
6. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)