

16.04.2024
Item No.6 (SL)
AD/SD
Court No.28
(Allowed)

C.R.M. (A) No. 1328 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Uluberia** Police Station Case No. **454 of 2023** dated **28.10.2023** under Sections **341/323/325/307/354/379/34** of the Indian Penal Code, 1860, pending before the Learned Additional Chief Judicial Magistrate at Uluberia. (G.R. Case No.2643 of 2023)

And

In Re : Swapan Metia & Anr.

..... petitioners

Mr. Shraman Sarkar

Mr. Tasnim Ahamed

.....for the petitioners

Mr. Rudradipta Nandy, Ld. APP

....for the State

1. Petitioners submit there was dispute over sharing of a common passage. They have been falsely implicated. Co-accused have been granted regular bail. They pray for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. We have also examined the injury reports. No internal injury was caused on vital organs. Whether the injuries are life threatening may be assessed during trial.
4. Keeping in mind the facts of the case and the nature of injuries, we are inclined to grant anticipatory bail to the petitioners.
5. 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 that they shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.

6. The prayer for anticipatory bail of the petitioners is allowed.
7. **C.R.M. (A) No. 1328 of 2024** is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)