

29.04.2024
Item No.19
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1494 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **187** of **2024** dated **17.02.2024** under Sections **307/323/325/341/354/427/448/506/34** of the Indian Penal Code, pending before the Court of Learned Chief Judicial Magistrate, Malda.

And

In the matter of : Mithun Mandal & anr.

..... petitioners

Mr. Mrityunjoy Chatterjee,
Mr. Manas Das
....for the petitioners

Mr. Sujoy Sarkar
....for the State

Petitioners pray for anticipatory bail.

Three persons suffered injuries in an incident of assault.

Injuries of two persons were classified as simple hurt.

So far as third person is concerned, it was classified as severe but not as grievous hurt.

Doctor initially treating such third injured person was of the view that, there was a chance of fracture.

Considering the nature of the incident and the involvement of the petitioners therein, 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 further condition that the petitioners will report before the Investigating Officer once in a week till the conclusion of investigation 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) 1494 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)