

26.04.2024
17
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 1475 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliganj** Police Station Case No. **72** of **2024** dated **16.01.2024** under Sections **195A/326A/506/34** of the Indian Penal Code pending before the Court of learned Chief Judicial Magistrate, Krishnagar, District - Nadia.

And

In Re : **Ejer Ali Sk & Anr.** petitioners
Mr. Malay Bhattacharyya
Mr. Subhrajyoti Ghosh
...for the petitioners
Mr. Arani Bhattacharyya
...for the State
Mr. G. Ghosh
..for the defacto complainant

Petitioners, State and the defacto complainant are represented.

It is submitted by the defacto complainant that the issues between the defacto complainant and the petitioners stand resolved.

Learned advocate appearing for the State draws the attention of the Court to the injury report of the injured as also the statement of the defacto complainant recorded under Section 164 of the Cr.P.C.

The statement of the defacto complainant under Section 164 of the Cr.P.C. is one of exoneration.

Injury report does not suggest that the injured suffered acid attack.

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/- 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. The petitioners will report before the Investigating Officer as and when called for till the conclusion of the investigation. 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.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)