

29.04.2024
DL.28
Court No.29
(AD)
(Allowed)

C.R.M. (A) 1503 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kandi** Police Station Case No.**316 of 2023** dated **30.05.2023** under Sections **341/325/326/307/506/34** of the Indian Penal Code, 1860 pending before the Court of the Learned Additional Chief Judicial Magistrate, Kandi, Murshidabad. (G.R. Case No.971 of 2023).
And

In the matter of: **Bir Mahammad Sekh @ Bio Mahammad Sk. & Anr.**

....petitioners.

Mr. Manas Kumar Das
Mr. Aritra Kumar Thokdar

...for the petitioners.

Mr. Prasun Kumar Datta, Ld. APP
Mr. Asif Dewan

... for the State.

1. Leave granted to the learned Advocate-on-record for the petitioners to correct the cause-title.
2. Two persons suffered injury in an incident of assault.
3. One injury was classified as simple hurt. The other injury was not classified as grievous hurt. Both spoke of physical assault.
4. Considering the nature of the incident and the involvement of the petitioners therein, we 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner no.1

will report before the Investigating Officer once a week till the conclusion of the investigation and petitioner no.2 will cooperate with the investigation till the conclusion of the 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.

6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
7. **C.R.M. (A) 1503 of 2024** is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)