

29.04.2024  
Item No.18  
Ct. No. 29  
**CHC**  
Allowed

**C.R.M.(A) 1493 of 2024**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Itahar** Police Station Case No. **99** of **2024** dated **02.03.2024** under Sections **448/325/307/379/34** of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Uttar Dinajpur at Raiganj.

And

In the matter of : Nurul Islam

..... petitioner

Mr. Krishan Ray,  
Mr. Anindya Ghosh  
....for the petitioner

Mr. Manoranjan Mahata  
....for the State

Petitioner prays for anticipatory bail.

In an incident of assault apparently one person suffered simple hurt.

Such injured recorded a statement under Section 161 of the Criminal Procedure Code where it speaks of pre-existing property disputes between the private parties which led to the incident of assault.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), 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 petitioner will report before the Investigating Officer once in a week till the conclusion of investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1493 of 2024 is disposed of.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**