

11.06.2024
SL No.23
Court No.29
TN
(Allowed)

CRM (A) 1864 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Bharatpur Police Station Case No.345 of 2023 dated 06.10.2023 under Sections 341/325/326/307/34 of the Indian Penal Code.

And

In the matter of : **Anser Sk. @ Amsar Sekh and others.**

- petitioners.

Mr. Md. Hafiz Ali

....for the petitioners.

Mr. Subrata Roy,
Ms. Purnima Ghosh

... for the State.

1. The learned Counsel for the petitioners submits that the petitioners have been falsely implicated. The petitioners have suffered injuries in the hands of the *de facto* complainant and other assailants. The learned Counsel has also referred to the injury report sustained by some of the petitioners. It is submitted that the petitioners have also filed complaint in the Bharatpur police station and the present complaint is the outcome of such complaint.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the injury report of some of the victims. Apparently there is a free fight between the parties that have resulted in some injuries.
3. Considering the facts available in the case diary and the complicity of the petitioners in the commission of the alleged offence and having regard to the fact that the charge sheet

has already been filed, the custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Anser Sk. @ Amsar Sekh, Saiful Sk., Ripan Sk., Lalchand Sk., Mujibar Sk., Murad Sk. @ Muraj Sk., Mafijul Sk. @ Mafijuddin Sk., Chand Mohammd Sekh and Injil Sk.** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.
5. The present accused petitioners shall appear before the learned trial court within a fortnight from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)