

03.01.2024

Sl.93

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4419 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dewandighi** Police Station Case No. **234** dated **19.10.2022** under Sections **341/323/325/307/354/506/34** of the Indian Penal Code, 1860 (corresponding to G.R. No.5427 of 2022).

And

In the matter of: **Balak Bauri**

....petitioner.

Mr. Monish Sen

Ms. Oisani Mukherjee

...for the petitioner.

Mr. Tanmoy Kumar Ghosh, Ld. Sr. Government Advocate

Mr. Arindam Sen

...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023.

By such order, the petitioner was enlarged on interim anticipatory bail by the Coordinate Bench.

It is submitted at the bar that such prayer for interim anticipatory bail was granted without considering the materials in the case diary and just prior to the ensuing puja vacation.

We perused the materials in the case diary.

Injured sustained injury on the head.

In his statement, the injured stated that he was assaulted with bamboo poles.

Police filed charge sheet.

Considering the gravity of the offence and the involvement of the petitioner in the incident, we confirm the interim order dated October 16, 2023.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4419 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)