

**03.01.2024**

111  
Ct. No. 29  
S.D.  
Allowed

**C.R.M.(A) 4455 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murshidabad** Police Station Case No. **562** of **2023** dated **19.7.2023** under Section 447/341/325/308/354/34 of the Indian Penal Code.

And

In Re: Abul Sk @ Abul Hossain @ Omar Sk & Ors.  
..... petitioners

Ms. Soma Mal  
....for the petitioner

Mr. Arijit Ganguly  
Mr. Sanjib Kumar Dan  
....for the State

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

By such order dated October 16, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

We perused the materials in the case diary.

Apparently, the injured consulted a doctor on July 25, 2023 in respect of an injury claimed to be caused on July 10, 2023.

Injured lodged the police complaint.

In the police complaint, he narrated an incident of collision amongst vehicles and such incident leading to the assault inflicted on him.

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/- 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 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 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.)**

