

04.01.2024

Sl.96

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4529 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with GR Case No.1942 of 2023 arising out of **Junput Costal** Police Station Case No.**71 of 2023** dated **16.07.2023** under Sections **323/307/325/341/506/34** of the Indian Penal Code, 1860 .

And

In the matter of: **Muksed Ali Sha**

....petitioner.

Sk. Sahjahan Ali

... for the petitioner.

Mr. Debabrata Chatterjee, Ld. APP

Ms. Mausumi Sarkar ...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, an interim anticipatory bail was granted to the petitioner.

It is submitted at the bar that such order was passed without considering the materials in the case diary and in view of the ensuing puja vacation.

We perused the materials in the case diary.

We find that the injured suffered simple injuries.

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 subject

to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4529 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)