

08.01.2024

77
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 4649 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **694** of **2023** dated **13.07.2023** under Sections 341/325/326/307/354/34 of the Indian penal Code.

And

In Re : Jahangir Alam @ Jahangir..... petitioner

Mr. Rana Mukhopadhyay
....for the petitioner

Mr. Saibal Bapuli
Ms. Sayanti Santra
...for the State

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

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

It is submitted at the bar that, the order granting 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.

We find from the records that police filed charge sheet. Two persons suffered injuries. One injury was classified as severe.

However, since the police filed charge sheet, need for custodial interrogation is not felt.

In such circumstances, 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/-, 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 petitioner 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.)

