

January 8, 2024
SI No.A 88
s.biswas/cp
(Allowed)

CRM (A) 4668 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Sutahata** Police Station Case No. **304 of 2023** dated **18.08.2023** under Sections **447/341/323/324/325/326/307/354/379/506/34** of the IPC.

And

In Re: **Sk. Jahangir @ Jahangir Ali @ Jahangir Sekh
and others**

... .. Petitioners

Mr. Suman De

... for the petitioners

Mr. Partha Pratim Das

Ms. Eshita Dutta

... for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 17, 2023.

By such order, the Coordinate Bench granted interim anticipatory bail to the petitioners.

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

We perused the materials in the case diary.

Three persons suffered injuries and none of those injuries were classified as grievous hurt.

Apparently the incident of assault occurred due to dispute with regard to immovable property.

Considering the gravity of the offence and the involvement of the petitioners in the incident, we confirm the interim order dated October 17, 2023 and grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners 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 petitioners shall report before the Investigating Officer once in a month till the conclusion of the investigation and on further condition that the petitioners shall appear on every date before the jurisdictional court on and from the date fixed for appearance of the accuseds 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.)