

08.01.2024
Item No. 92
Ct. No. 29
Sb/cp
Allowed

C.R.M.(A) 4673 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Mothabari** Police Station Case No. **44 of 2023** dated **14.02.2023** under Sections **448,325,326,307 and 34** of the Indian Penal Code.

And

In the matter of : Nabab Sharif @ Nabab Sk

..... petitioner

Mr. Parvej Anam

....for the petitioner.

Mr. S. S. Imam

Mr. S. Kundu

....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 petitioner.

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.

Apparently in an incident of assault at least four persons suffered injuries except one person who suffered fracture of the frontal bone. All other injuries were classified as simple.

Considering the gravity of the offence and the involvement of the petitioner in the incident we confirm the interim order dated October 17, 2023.

In such circumstances we grant anticipatory bail to the petitioner.

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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner will report before the Investigating Officer once in a fortnight till the conclusion of 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 4673 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)