

09.01.2024
Item No.177ML
Ct. No. 29
CHC
Allowed

C.R.M.(A) 4812 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **1089** of **2023** dated **20.08.2023** under Sections **341/354/326/307/379/34** of the Indian Penal Code, 1860.

And

In the matter of : Mannan Ali & ors.

..... petitioners

Mr. Tapan Datta Gupta,
Mr. Parvej Anam
....for the petitioners

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

Petition is taken up for consideration subsequent to the order dated October 17, 2023 passed by a coordinate Bench.

By such order, 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 considered the materials in the Case Diary. We find that the injured suffered cut injury over the scalp. The injury was caused by an assault by using of iron rod.

Eyewitnesses to the incident ascribed one Hannan to be the person who assaulted the victim with iron rod.

Hannan was arrested and granted bail by the jurisdictional Court.

Apparently, there was some quarrels amongst the private parties.

In such circumstances, we confirm the interim order dated October 17, 2023.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) 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 further condition that the petitioner no.1, namely, Mannan Ali will report before the Investigating Officer once in a month till the conclusion of investigation and petitioner no.2, namely, Asmina Khatun, petitioner no.3, namely, Manjura Bibi and petitioner no.4, namely, Nuresha Bewa will cooperate with the investigation 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 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.

CRM(A) 4812 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)