

13.11.2024
Sl. No.8
akd
[ALLOWED]

C. R. M. (A) 3883 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 04.10.2024 in connection with Chapra Police Station Case No.454 of 2024 dated 07.05.2024 under Sections 341/324/326/34 of the Indian Penal Code. (G.R. Case No.2538 of 2024)

And

In Re: ***Bakul Buta @ Sk. @ Bakul Shaikh & Ors.***

... .. Petitioners

Mr. Prabir Majumder
Mr. Snehansu Majumder

... .. for the petitioners

Mr. Imran Ali
Mr. Sobham Gani

... .. for the State

1. It is submitted on behalf of the petitioners there was a free fight. Both parties suffered injuries. Case and counter-case were registered. Accordingly, they pray for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail and submits victim suffered head injury and was hospitalised.

3. We have considered the materials on record. In course of a scuffle, both parties suffered injuries. It is possible injuries were caused in exercise of right to private defence. Under such circumstances, we are of the opinion custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail.

4. Accordingly, we direct in the event of arrest, the petitioners, namely ***(1) Bakul Buta @ Sk. @ Bakul Shaikh, (2) Sarkat Buta @ Sk., (3) Sultan Buta @ Sk., (4) Supa Buta @ Sk., (5) Fajlu Buta @ Sk. & (6) Jakat Buta @ Sk.,*** 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

5. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)