

10.01.2024
ML-228
Court No.29
(AD)
(Allowed)

C.R.M. (A) 4888 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No.**435 of 2023** dated **29.07.2023** under Sections **447/354/325/307/34** of the Indian Penal Code, 1860, [G.R. Case No.2362 of 2023].

And

In the matter of: **Koyesh Sabjee alias Md Koyesh Sabjee & Ors.**
....petitioners.

Mr. Soupal Chatterjee
Ms. Sucheta Banerjee ... for the petitioners.

Ms. Faria Hossain
Ms. Mamata Jana
...for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 18, 2023 passed by the Coordinate Bench.

By such order, an interim anticipatory bail was granted to the petitioners.

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

We perused the materials in the case diary.

In an incident of assault, a person suffered trauma on the head. The injury was not classified as grievous hurt.

Considering the gravity of the offence and the involvement of the petitioners in the incident, we confirm the interim order dated October 18, 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

subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once a month till the conclusion of the investigation and on 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 4888 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)