

10.01.2024
ML-229
Court No.29
(AD)
(Allowed)

C.R.M. (A) 4889 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Habibpur** Police Station Case No. **182 of 2023** dated **30.05.2023** under Sections **447/324/325/326/307/34** of the Indian Penal Code, 1860 (corresponding to G.R. Case No.3395 of 2023).

And

In the matter of: **Bonshup Chowdhury**

....petitioner.

Mr. Arup Kumar Bhowmick ...for the petitioner.

Mr. Prasun Kumar Datta, Ld. APP
Mr. Nirupam Dhali

...for the State.

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

By such order, the petitioner was enlarged on interim anticipatory bail by the Coordinate Bench.

It is submitted at the bar that such prayer for interim anticipatory bail was granted without considering the materials in the case diary and just prior to the ensuing puja vacation.

We perused the materials in the case diary.

In an incident of physical assault, a person suffered injury in the scalp and neck. The assault was with the bamboo stick.

Police filed charge sheet.

Considering the gravity of the offence, we confirm the interim order dated October 18, 2023.

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 subject to the conditions as laid down under Section 438(2) of the

Code of Criminal Procedure, 1973 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4889 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)