

22.01.2024
Court No.29
Item No. 119
AP

CRM (A) 4916 of 2023

In re : An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Pukhuria** Police Station Case No. **282** of **2023** dated **14.07.2023** under Section **341/323/325/354/436/427/506/34** of the IPC.

-And-

In the matter of : **Manuar Hossain @ Sk Manwar Hossain and Anr.**
... ..Petitioners.

Mr. Kalidas Saha

... .. For the Petitioners.

Mr. B.K. Roy

Ms. Sima Biswas

... ..For the State.

Injury report suggests that the injured suffered minor scratches over the left arm. A person recorded a statement under section 164 of the CrPC complaining that the petitioners burnt their houses and they were assaulted by a sharp cutting weapon immediately after they left the burning house.

The incident narrated in the 164 statement is not corroborated by the injury report.

Apparently, the incident is a result of political rivalry.

Consequently, there is an issue of false implication.

Police filed charge sheet.

In such circumstances, we grant anticipatory bail to the petitioners.

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 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

Hence, the application for anticipatory bail is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)