

22.01.2024
Item No.58
Ct. No. 29
CHC
Allowed

C.R.M.(A) 4985 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Islampur** Police Station Case No. **272** of **2023** dated **09.07.2023** under Sections **341/325/326/307/34** of the Indian Penal Code read with Sections **25/27** of the Arms Act.

And

In the matter of : Masadul Sk & ors.

..... petitioners

Ms. Minoti Gomes

....for the petitioners

Mr. Binoy Panda,

Mr. Subham Bhakat

....for the State

Petitioners pray for anticipatory bail.

Injured claimed in a statement that he was shot at by a firearm.

Police in the charge-sheet did not file any charge *inter alia* under Arms Act.

Four persons suffered injuries.

We perused the injury reports where the injured claimed that they suffered bullet injuries. Doctor treating those injured doubted such claim as appearing from the injury reports.

Lacerated wound were found on the body of the injured.

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 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) 4985 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)