

24.01.2024
ML.402
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5114 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kushmandi** Police Station Case No. **204 of 2023** dated **14.08.2023** under Sections **341/323/326/354/379/307/34** of the Indian Penal Code, 1860 (G.R. Case No.877 of 2023).

And

In the matter of: **Babul Hoque & Anr.**

....petitioners.

Mr. Koushik Chowdhury

Ms. Busra Khatun

...for the petitioners.

Mr. Debabrata Chatterjee, Ld. APP

Md. Kutubuddin

...for the State.

There is a counter police complaint with regard to the incident of assault.

So far as the present police complaint is concerned, apparently two persons suffered injuries by physical assault. None of the injuries were classified as grievous hurt.

Police filed charge sheet.

Considering the nature of the incident and the injuries, 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 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 5114 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)