

Court No. 29

31.01.2024

(AD 43)

Allowed

(S. Banerjee)

CRM(A) 5188 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dadpur** Police Station Case No. **221 of 2023** dated **09.09.2023** under Sections 448/325/326/307/354/427/504/34 of the Indian Penal Code.

And

In the matter of: **Swaraj Ghosh & Ors.**

Mr. Milon Mukherjee
Mr. Biswajit Manna

... for the petitioners

Mr. Madhusudan Sur
Ms. Pushpita Saha

... for the State

In a complaint of assault, apparently, a person received multiple injuries over the head and shoulder. The injury report advised X-ray of the right elbow and shoulder. It also advised CT Scan of the brain.

The Case Diary does not contain any material with regard to any follow up action being taken as advised by the doctor in such injury report.

In such circumstances we grant anticipatory bail to the petitioners.

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) 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 petitioner shall report before the Investigating Officer once in a fortnight, till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail is allowed.

CRM(A) 5180 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)