

30.01.2024

480(ML)
Ct. No. 29
S.D.
P. Allowed

C.R.M.(A) 5197 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raninagar** Police Station Case No. **362 of 2023 dated 12.07.2023** under Sections 341/325/326/307/34 of the Indian Penal Code.

And

In Re: Saidul Sekh @ Sekh Saidul & Anr.

..... petitioners

Mr. Mrityunjoy Chatterjee

Mr. Debopriya Majumder

Mr. A.Paoli

....for the petitioners

Mr. Pravas Bhattacharya

Mr. M.F. A. Begg

...for the State

C.R.M. (A) 5197 of 2023 is dismissed as not pressed so far as the petitioner no. 1 as he was arrested.

During the Panchayat Election, in an incident of assault, one injured suffered loss of four teeth. Such injured does not name the petitioner no. 2 before us as the person who caused the assault leading to loss of such teeth.

In such circumstances, we grant anticipatory bail to the petitioner no. 2.

Accordingly, we direct that in the event of arrest, the petitioner no. 2, **Josimuddin Sekh** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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. The petitioner will report before the Investigating Officer once a month till the conclusion of the investigation. The petitioner no. 2 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 no. 2 in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)