

Court No. 29

31.01.2024

(A 514)

Allowed

(S. Banerjee)

CRM(A) 5233 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murshidabad** Police Station Case No. **510 of 2023** dated **10.07.2023** under Sections 341/325/307/34 of the Indian Penal Code, 1860.

And

In the matter of: **Madan Sk. & Ors.**

Mr. Abdur Rakib
Mr. Biswajit Sarkar
Mr. Tasnim Abamed

... for the petitioners

Mr. Sudip Ghosh
Mr. Trina Mitra

... for the State

The application for anticipatory bail is dismissed as infructuous so far as the petitioner no. 5 (Arsad Sk. @ Ersad Sk.) is concerned as he was arrested.

Police filed charge-sheet.

Apparently, an incident of assault took place during the Panchayat election. One person suffered hand-fracture.

So far as the other petitioners are concerned, considering the fact that the police filed charge-sheet, we grant anticipatory bail to petitioner nos. 1 (Madan Sk.), 2 (Sohidul Sk.), 3 (Rohidul Sk.), 4 (Sorip Sk.), 6 (Abu Samad Sk.) and 7 (Enamul Haque @ Enamul Sk.).

Accordingly, we direct that in the event of arrest, the petitioner nos. 1, 2, 3, 4, 6 and 7, as mentioned above, 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 Sections 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 petitioner is allowed.

CRM(A) 5233 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)