

01.02.2024

Item No.42

Ct. No. 29

PG/KS

Allowed

**C.R.M.(A) 5235 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.319 of 2023 dated 10.08.2023 under Sections 341/ 323/ 325/ 326/ 354/ 34 of the Indian Penal Code, 1860.

And

In the matter of :**Rafikul Islam @ Pakhi @Mondal Rafikul Islam  
& Ors.**

.....Petitioners.

Md. Abdur Rakib  
Mr. Biswajit Sarkar

....for the Petitioners.

Ms. Debjani Sahu

....for the State.

Police filed charge-sheet.

In an incident of assault, a number of persons suffered injuries.

Considering the fact that police filed charge-sheet, we do not deem it appropriate to deny the prayer for anticipatory bail.

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 further 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.

C.R.M.(A) 5235 of 2023 is disposed of.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**