

03.04.2024
tkm/ct 28
sl no. 69

C.R.M. (A) 5228 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Sabang P.S case no. 212 of 2023 dated 30.7.2023 under sections 341/323/325/307/506/34 IPC

And

Allowed

In Re : Sk Ali Hossain & Ors. petitioners

Ms. Ramasish Mukherjee

Mr. Sk Nezamuddin

..... for the petitioners

Mr. Bitasok Banerjee

..... for the State

1. Petitioners submit they have been falsely implicated due to political rivalry. Injury is not life threatening. Investigation is complete. They pray for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail. He submits victim suffered injury on the scalp.
3. We have considered materials on record. Though the injury is on a vital part of the body it lacks depth. No document showing internal injury is also placed before us. Under these circumstances, whether the injury is life threatening requires to be assessed during trial. Investigation is complete.
4. Accordingly, we are inclined to grant bail to the petitioners.
5. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- 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.

6. Petitioners shall appear before the court below and pray for regular bail within four weeks from date.
7. The application being CRM (A) 5228 of 2023 is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)