

01.02.2024

Serial no. ML 712

Anticipatory Bail

[Partly Allowed]

Dd

CRM (A) 5435 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Panskura** Police Station Case No. **695** of **2023** dated **28.09.2023** under Sections **341/324/325/307/506/34** of the Indian Penal Code, 1860.*

(G.R. Case No. 3311 of 2023)

-And-

In the matter of : **Madan Mohan Karan & Ors.**

... .. **Petitioners**

Mr. Amal Krishna Samanta, Advocate

... .. *For the Petitioners*

Ms. Rituparna De Ghose, Advocate

... ..*For the State*

Mr. Sourat Mandy, advocate

... ..*For the de facto complainant*

Police filed charge sheet.

Injured suffered a deep cut injury on the upper back inflicted by a sword. Petitioner no. 1 stands implicated in effecting such injury on the victim.

In such circumstances, we are unable to grant anticipatory bail to petitioner no. 1 (Madan Mohan Karan).

So far as the other two petitioners i.e., petitioner no. 2 (Prasenjjit Karan) and petitioner no. 3 (Saraswati Karan) are concerned, we grant them anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner no. 2 (Prasenjjit Karan) and petitioner no. 3 (Saraswati Karan) 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 such petitioner no. 2 (Prasenjjit Karan) and petitioner no. 3 (Saraswati Karan) 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 such petitioner no. 2 (Prasenjjit Karan) and petitioner no. 3 (Saraswati Karan) in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner no. 2 (Prasenjjit Karan) and petitioner no. 3 (Saraswati Karan) is **allowed**.

Prayer for anticipatory bail of the petitioner no. 1, Madan Mohan Karan is **rejected**.

CRM (A) 5435 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)