

17.01.2024  
tkm/ct 28  
spl no. 51

**C.R.M. (A) 5734 of 2023**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Hirapur P.S case no. 333 of 2023 dated 27.9.2023 under sections 331/323/324/325/326/427/34 IPC

And

**Allowed**

In Re : Manohar Singh alias Datti & Ors. .... petitioners

Mr. Arindam Sen  
Mr. Kaunish Chakraborti  
Mr.S Basu

..... for the petitioners

Mr. Angshuman Chakraborty  
..... for the State

1. Petitioners submit there was a free fight in a Gurdwara. Allegations are general and omnibus. There is no chance of abscondence. They pray for anticipatory bail.
2. Learned lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record including the injury report. Some of the injury reports are grievous. But incident occurred in the course of a free fight between two groups. Allegations against the petitioners are general and omnibus.
4. Under such circumstances we are of the opinion custodial interrogation for progress of investigation is not necessary but petitioners require to co-operate with the investigation in accordance with law.
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 and on further condition that the petitioners shall meet the investigating officer once in a week until further orders.

6. Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

7. The application being CRM (A) 5734 of 2023 is disposed of.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**