

05.01.2024
Item No.51
Ct. No. 29
CHC
Allowed

C.R.M.(A) 5763 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dhubulia** Police Station Case No. **503/2023** dated **07.10.2023** under Sections **341/326/506** of the Indian Penal Code, 1860.

And

In the matter of : Rafik Sk.

..... petitioner

Mr. Amanul Islam,
Mr. Sourav Mukherjee
....for the petitioner

Mr. Debabrata Chatterjee,
Mr. Arani Bhattacharyya
....for the State

Petitioner prays for anticipatory bail.

There is a counter police complaint in respect of the same incident. Incident of assault apparently emanated out of the property disputes.

Injured in the police case suffered lacerated wound over scalp.

Considering the gravity of the offence and the involvement of the petitioner in the incident, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), 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 petitioner will report before the Investigating Officer once in a month till the conclusion of investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 5763 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)