

11.03.2025
Item No.48
Ct. No. 26
CHC
Allowed

C.R.M.(A) 852 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Gazole** Police Station Case No. **953** of **2024** dated **23.10.2024** under Sections **126(3)/118(2)/303(2)/2(5)** of the Bharatiya Nyaya Sanhita, 2023, pending before the Learned Chief Judicial Magistrate at Malda.

And

In the matter of : Bapi Mudi @ Bapi Mandal & Anr.

..... petitioners

Mr. Kalidas Saha, Advocate
Ms. Mandira Mandal, Advocate
....for the petitioners

Mrs. Manisha Sharma, Advocate
Mrs. Sonali Bhar, Advocate
....for the State

1. In an incident of assault, one person suffered injury of dislocation of right shoulder. Medical report of such injured suggests that, there was a physical assault by two persons with blunt weapon. Apart from dislocation of the right shoulder, injured suffered small abrasion on the left side of the face and swelling on the right side of the face.
2. Considering the nature of the incident and the involvement of the petitioners therein, we grant anticipatory bail to the petitioners.
3. 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, corresponding to Section 482(2) of the BNSS and on further condition that the petitioners shall meet the Investigating Officer once in a month till the conclusion of investigation and on 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.

4. This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Smita Das De, J.)