

57 08.12.2020
rkd Ct. No.28
(Allowed)

**C.R.M. 9934 of 2020
(Through Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliganj** P.S. Case No. **512 of 2020** dated **03/11/2020** under Section **341/323/325/308/34** of the Indian Penal Code.

And

In the matter of: Somnath Das & Ors.

....petitioners.

Mr. P. Majumder

...for the petitioners.

Mr. N. P. Agarwala,
Ms. S. Patel

...for the State.

It is submitted on behalf of the petitioners that there was a dispute between the parties as the defacto complainant misbehaved with the women folk during Durga Puja celebration.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submission relating to provocative conduct on the part of the victim and in view of the nature of injuries suffered by the petitioners, we are inclined to grant anticipatory bail to the petitioners.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)