

16.04.2021  
Court No.28  
Item No. 265  
Avijit Mitra

**C.R.M. 911 of 2021**  
**(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Santipur Police Station Case No.462 of 2020 dated 21.10.2020 under Sections 147/323/325/326/307/34 of the Indian Penal Code;  
And

In re: **Basudeb Ghosh & ors.**

Petitioners

Mr. Sagar Saha

For the Petitioners

Md. Anwar Hossain,  
Ms. Sreyashee Biswas

For the State

The learned advocate appearing for the petitioners submits that over a land dispute there was a free exchange of blows resulting injuries on both sides. It is submitted that it was not premeditated and the petitioners have been falsely implicated.

Learned advocate appearing for the State opposes the prayer for bail. Injury report of the complainant was produced to show that the injury is grievous in nature.

Considering the materials available in the case diary, the injury report and the nature of extent of the complicity of the petitioners in the commission of offences and taking into account that the dispute broke out over the possession of the land, we feel custodial interrogation of the petitioners is not

required at this stage. The prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Basudeb Ghosh, Mahadeb Ghosh @ Basudeb Ghosh, Sanjay Ghosh, Bidesh Ghosh and Surajit Ghosh** shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

This order of anticipatory bail will remain in force for a period of four weeks within which the petitioners shall appear before the jurisdictional Court and pray for regular bail.

The petitioners shall make themselves available before the investigating officer once a week on and from 19<sup>th</sup> April, 2021.

With the aforesaid observations, the application for anticipatory bail, being CRM No. 911 of 2021, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

**(Tirthankar Ghosh, J.)**

**(Soumen Sen, J.)**

