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21-05-2021

Court 28

**C.R.M. 1440 of 2021
(Via Video Conference)**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Suti Police Station Case No. 515 of 2020 dated 29.10.2020 under sections 324/325/326/307/506/34 of the Indian Penal Code.

Ananda Mandal & Ors.
Versus
State of West Bengal

Partly
Allowed

Mr. Priyankar Ganguly, Adv.
Mr. Krishnendu Bhattacharya, Adv.

...for the petitioners.

Mr. Arijit Ganguly, Adv.
Mr. Snajib Kr. Dan, Adv.

...for the State.

Considering the materials made available on record and the statement recorded under Section 161 of the Code of Criminal Procedure which inter alia, implicates the petitioner no.1 in the commission of alleged offence and attributes to the case of grievous hurt upon the victim, we are not inclined to grant anticipatory bail to the petitioner no.1. However, having regard to the fact that no specific overt act has been attributed to the petitioner nos. 2, 3 and 4, we are inclined to grant anticipatory bail to the petitioner nos. 2, 3 and 4.

Accordingly, we direct that in the event of arrest, the petitioner nos. 2, 3 and 4 namely, Pravat Mandal, Jiban Mandal and Rajdhoni Mandal, shall be released on anticipatory bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only) 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.

The application for anticipatory bail of the petitioner nos. 2, 3 and 4 is allowed and the application for anticipatory bail of the petitioner no. 1 is rejected.

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

(Suvra Ghosh, J.)

(Soumen Sen, J.)