

CRM 1815 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ratua Police Station** Case No. **353 of 2013** dated **10.06.2013** under Sections **147/148/149/448/427/379/506** of the Indian Penal Code and Sections 3 and 4 of the Explosive Substance Act.

- A n d -

In the matter of : Karim

.... Petitioner.

Mr. S. Saha,

... For the Petitioner.

Mr. B. Kr. Roy,
Mr. R. Datta,

... For the State.

The petitioner is one out of 32 charge sheeted persons. The allegation is that the defacto complainant had filed his nomination for contesting an election. The accused persons wanted him to withdraw his nomination. Upon his refusal to do so, the accused persons attacked and broke his house.

We have seen the material in the case diary. We have seen the statements of witnesses. No specific overt act appears to be attributed to the petitioner.

On an overall assessment of the material in the case diary and the nature and gravity of the allegations and also since charge sheet has been submitted, we are of the view that immediate custodial interrogation of the petitioner is not necessary.

Accordingly, in the event of arrest, the petitioner, namely, **Karim** shall be released on bail upon furnishing a bond of Rs.

10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438 (2) of the Code of Criminal Procedure until further orders.

In the event the petitioner fails to adhere to any of the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 1815 of 2021 is, thus, allowed.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)