

17.08.2021
tkm/ct 28
sl no. 287

C.R.M. 2258 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Entally P.S case no. 311 dated 30.11.2020 under sections 341/324/326/34 of the Indian Penal Code
And

Allowed

In Re : Narayan Chakraborty @Nary & Ors. petitioners

Mr. Dipanjan Chatterjee

Mr S Mazumder

Mr. K K Bhattacharjee

..... for the petitioners

Ms. Zareen N Khan

Ms. Trin Mitra

..... for the State

It is submitted on behalf of the learned advocate for the petitioners that they are the victim of a political rivalry and the case has been launched against them despite they having protested against the complainant who tried to outrage modesty of a lady.

It is further submitted that in spite of lodging the complaint, the police has inflicted the instant case upon them.

Learned lawyer the State opposes the prayer for anticipatory bail and submits that the injured person has suffered grievous injury and also disclosed the name of the petitioners before the attending doctor. There is no other statement recorded by the police except the medical report which is relied on in the instant case.

After perusing the gravity of the injury, we do not find the injury appears to be grievous in nature and, therefore, custodial interrogation of the petitioners is not necessary.

Accordingly, we direct that 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 be subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners while on bail shall meet the Investigating Officer once in a fortnight and as and when called for until further orders.

Default without any plausible reason on a solitary occasion to appear before the Investigating Officer may entitle the prosecution to apply for cancellation of the liberty granted in this order and if such approach is made, the concerned Court would decide the same independently without any further reference to this Court.

The application being CRM 2258 of 2021 is disposed of.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)