

CRM 2337 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kolaghat Police Station** Case No. **412 of 2020** dated **10.12.2020** under Sections **447/323/325/307/354/506/34** of the Indian Penal Code.

- A n d -

In the matter of : Khokan Panja @ Khokon Panja

.... Petitioner.

Mr. S. De,

... For the Petitioner.

Mr. P. K. Datta, Ld. APP,
Mr. S. Deb. Roy,

... For the State.

The petitioner says that the present complaint is a counter blast to the complaint lodged by the petitioner's mother against the present defacto complainant. The complaint lodged by the petitioner's mother is numbered 411 of 2020, whereas the present complaint is numbered 412 of 2020 in the same Police Station, i.e., Kolaghat.

We have seen the material in the case diary including the injury report. The injury is insignificant.

From the material in the case diary it appears that there was a free fight between two groups of the same family. Case and counter-case have been filed. There is no significant injury suffered by anyone.

On an overall assessment of the material on record and considering the fact that the charge sheet has already been filed, we are of the view that immediate custodial interrogation of the

petitioner may not be necessary so long as he cooperates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner, namely, **Khokan Panja @ Khokon Panja** 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 2337 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.**)