

19.08.2021
Court No.30
rpan /287

C.R.M. 2381 of 2021

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tarakeswar P. S. Case no.108 of 2020 dated 30.08.2020 under Sections 341/323/325/307/506/34 of the Indian Penal Code, 1860;

And

In Re : **Barun Kumar Samanta & Others**
- Petitioners

Mr. Ujjal Ray
....for the petitioners.

Mr. Neguive Ahmed,
Md. Anwar Hossain,
Ms. Shreyashi Biswas
....for the State.

Apprehending arrest, the petitioners have filed the instant application praying for anticipatory bail.

Learned advocate for the petitioners submits that the petitioners have been falsely implicated in this case out of political rivalry and six co-accused persons are now on bail, granted by the learned court below.

Learned advocate for the State raises objections drawing our attention to the injury report, shown at pages 14 and 15 of the case diary together with the statement of the victim, found at page 18 of the case diary.

This is a case of assault, wherein involvement of the petitioners is noticed.

Having considered the submissions of both sides and bearing in mind the extent of injury suffered by the victim, we are of considered view that custodial interrogation of the petitioners is not necessary in this case.

Accordingly, we allow this application and direct that in the event of arrest the petitioners, namely, **1. Barun Kumar Samanta, 2. Devdeep Koley** and **3. Ganesh Chandra Pramanick @ Ganesh Pramanick** shall be released on bail upon furnishing a bond of ₹10,000/- each with two sureties of like amount each 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 petitioners are also directed to attend the trial court on all the dates as specified for hearing and will not tamper with the evidence or intimidate the witnesses.

It is further made clear that in the event they fail to comply with the conditions without any justifiable cause, the learned trial court shall be at liberty to cancel their bail, in accordance with law, without any further reference to this Court.

The application for anticipatory bail, being CRM No. 2381 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.

(Subhasis Dasgupta, J.)

(Tapabrata Chakraborty, J.)