

22. 04.10.2021

Ct.32

Tanmoy

Allowed

C.R.M. 2801 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **17/03/2021** in connection with **English Bazar Police Station Case No.114/2019** dated **04/02/2019** under Sections **341/323/324/307/34** of the Indian Penal Code. Charge-sheet No. 841/19 dated 17/08/2019 under Sections 341/323/324/307/34 of the Indian Penal Code.

And

In the matter of: - **Ramesh Roy & Anr.**

...petitioners.

Mr. Kallol Mondal,
Mr. M.A. Sk.,
Mr. Krishan Ray,
Ms. Amrita Chel,
Mr. S. Das,
Mr. A. Banerjee

...for the petitioners.

Mr. Saibal Bapuli, Ld. A.P.P.,
Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

...for the State.

Leave is granted to the petitioners' learned Advocate-on-Record to correct the cause title.

The petitioners are two out of many accused persons. The allegation is that the petitioners have inflicted grievous injury on the victim.

We have seen the statements of witnesses and the medical report. The medical report does not reveal any significant injury. It states – “accidental scalp injury”. Charge-sheet has been submitted.

On an overall assessment of the material on record and the facts and circumstances of the case and the possible extent

of complicity of the petitioners in the alleged offence, we are of the view that immediate custodial interrogation of the petitioners is not necessary so long as they co-operate with further investigation, if any.

Accordingly, in the event of arrest, the petitioners, *viz.*, **1. Ramesh Roy, 2. Shansharu Roy @ Shankar Roy** shall be released on bail upon furnishing a bond of Rs.10,000/- each 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.

And on further condition that the petitioners shall meet the Officer-in-Charge of the concerned Police station once in every fortnight until further orders.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. 2801 of 2021 is, accordingly, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)