

28.05.2021

Sl. No. 82

Srimanta

Ct. No. – 28

D/L

**CRM/2863/2021
(Via Video Conference)**

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973.

In the matter of : Subrata Majumder

Mr. Soumyajit Das Mahapatra, Adv., ... petitioner.

...for the petitioner.

Mr. Swapan Banerjee, Adv.,
Mr. Purnima Ghosh, Adv.

...for the state.

Apprehending arrest in connection with Jhargram Police Station Case No. 37 of 2021 dated 12th February, 2021 under Sections 325/308 of the Indian Penal Code, the petitioner has preferred the present application.

Mr. Das Mahapatra, Learned Advocate appearing for the petitioner submits that there was a long standing dispute between the parties and the petitioner has been falsely implicated in the alleged offence which occurred on 11 February, 2021. The allegations levelled against the petitioner are unfounded and in the said conspectus custodial interrogation/detention is not necessary.

Mr. Banerjee, Learned Advocate appearing for the State opposes the petitioner's prayer and draws our attention to the complaint, the injury report and the statements of the witnesses as recorded under Section 161 of the Code of Criminal Procedure.

Having heard the Learned Advocates appearing for the respective parties and considering the materials in the Case Diary, the injury report and the statements of the witnesses as recorded under Section 161 of the Code of Criminal

Procedure, we are of the opinion that custodial interrogation/detention of the writ petitioner is not warranted in the facts and circumstances of the case.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Subrata Majumdar** shall be released on anticipatory 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further condition that the petitioner shall meet with the Investigating Officer twice a week on and from 7th June, 2021 until further orders.

Accordingly, the application for anticipatory bail being CRM No. 2863 of 2021 is **disposed of**.

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

(Shampa Sarkar, J.)

(Tapabrata Chakraborty, J.)