

CRM 3050 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal Police Station** Case No. **574 of 2016** dated **16.10.2016** under Sections **147/148/149/353/188/186/332/333/436/307/427** of the Indian Penal Code and Sections 3 and 4 of the PDPP Act.

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In the matter of : Gopesh Sarkar & Anr.

.... Petitioners.

Mr. A. Sarkar,

... For the Petitioners.

Mr. A. Ganguly,

Mr. A. Ghatam,

... For the State.

The petitioners say that there was a fight between two groups which practice different religions. More than 20 persons were arrested and granted bail by the learned Trial Court. The petitioners had no direct role to play. They pray for anticipatory bail.

We have seen the material in the case diary. *Prima facie*, there is no specific implication of the petitioners. Charge sheet has also been submitted. Medical report does not record any external injury on the victims.

On an overall assessment of the material in the case diary and the facts and circumstances of the case, we are of the view that immediate custodial interrogation of the petitioners is not necessary.

Accordingly, in the event of arrest, the petitioners, namely, **Gopesh Sarkar and Ramkrishna Das** 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 until further orders.

In the event the petitioners fail 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 3050 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.**)