

CRM 3063 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chandipur Police Station Case No.320 of 2020 dated 14-12-2020 under Sections 447/323/325/307/506/34 of the Indian Penal Code.

- A n d -

In the matter of : Dilip Kumar Maity @ Dilip Maity & Ors.
.... Petitioners.

Mr. Amal Krishna Samanta
... For the Petitioners.

Ms. Sukanya Bhattacharya,
Mr. Nirupam Dhali
... For the State.

The petitioners say that the incident relates to a property dispute between them and co-sharers. There was a free fight between the two groups. The petitioners have also suffered injury. They have also lodged a complaint.

We have seen the material in the Case Diary including statements of witnesses and the injury report. The injury is not life threatening or very serious. It is possible that indeed the incident arose out of property disputes. Charge Sheet has been submitted.

On an overall assessment of the nature and gravity of the alleged offence 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, **Dilip Kumar Maity @ Dilip Maity, Swapan Kumar Maity @ Swapan Maity, Dipak Kumar Maity @ Dipak Maity, Shrabani Rakshit (Maity) and Shibani Maity**, shall

be released on bail upon furnishing bonds of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. The petitioners shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

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 3063 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.)**