

29.09.2021
Item no.42
Court No.32.
S.De
(allowed)

(Via Video Conference)

CRM No. 3291 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 09.04.2021 in connection with Bagdah Police Station Case No. 01 dated 01.01.2021 under Sections 448/326/308/506 of the Indian Penal Code.

And

In the matter of : Arjun Halder.

.....Petitioner.

Mr. Safdar Azam, Advocate,

.....for the Petitioner.

Mr. Binoy Panda, Advocate,

Ms. Puspita Saha, Advocate,

Mr. Subham Bhakat, Advocate,

.....for the State.

The petitioner says that the son of the de facto complainant tried to molest the petitioner's wife. Naturally, the petitioner intervened and tried to protect his wife. There was a free fight. The victim sustained minor injuries. The petitioner's wife has also filed a criminal complaint against the son of the de facto complainant.

We have seen the material in the case diary. The Medical Report does not reveal any significant injury suffered by

the victim. We have also seen statements of witnesses in the case diary.

On an overall assessment of the nature of the allegation and the gravity of the alleged offence and the material in the case diary, we are of the view that immediate custodial interrogation of the petitioner may not be necessary so long as he co-operates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner namely **Arjun Halder** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 case the petitioner fails 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 CRM 3291 of 2021 is, thus, allowed.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)

