

37. 01.10.2021

Ct.32

Tanmoy

Allowed

C.R.M. 3416 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **16/04/2021** in connection with **Adra Police Station Case No. 25 of 2021** dated **15/03/2021** under Sections **147/148/149/341/325/326/506/307** of the Indian Penal Code.

And

In the matter of: - **Dhananjoy Chowbey & Anr.**

...petitioners.

Mr. Sabir Ahmed,
Mr. Mujjibar Ali Naskar,
Ms. Farah Anjum

...for the petitioners.

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

...for the State.

The petitioners say that the incident was a fallout of political dispute between two groups. There was a free fight between the groups. Nobody has suffered serious injury. Investigation is going on. The petitioners are ready, willing and prepared to co-operate with the Investigating Officer.

We have seen the material in the Case Diary including the injury report. The injury is definitely not serious.

On an overall assessment of the facts and circumstances of the case and the material in the Case Diary, we are of the view that immediate custodial interrogation of the petitioners may not be necessary so long as they co-operate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, viz., **1. Dhananjoy Chowbey, 2. Akhilesh Kumar Yadav** 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.

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. 3416 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.)