

08.11.2021
Item no.18.
Court No.32.
AB
(Allowed)

(Via Video Conference)

CRM No. 3700 of 2021

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Jangipara Police Station Case No.74 of 2021 Dated 4.4.2021 under Sections 448/325/307/427/379/34 of the Indian Penal Code

And

In the matter of: Subhendu Marik @ Malik & Others

.....Petitioners.

Mr. Raghunath Adhikari,
Ms. Bandana Maitifor the Petitioners.

Mr. Arijit Ganguly,
Mr. Sanjib Kr. Danfor the State.

The charge is of causing grievous bodily harm and attempt to murder.

The petitioners say that the incident was a result of pre-poll fight between two political parties. Members of both the groups suffered injuries. The petitioners have also filed a complaint but apparently no action has been taken on the basis thereof. They are fully prepared to cooperate with the investigation.

We have seen the material in the case diary including the injury reports. The injuries are not very serious. There appears to have been an altercation between members of two groups. Investigation is going on.

On an overall assessment of the material in the case diary and the nature and gravity of the offence as well as the possible extent of complicity of the petitioners therein, we are of the view that immediate custodial interrogation of the petitioners may not be necessary so long as they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely Subhendu Marik @ Malik, Sahadeb Marik @ Malik, Pritam Bakuli, Bacharam Santra, Anup Banchal, Jayanta Murmu, Prabir Bag, Balaram Ghosh @ Pranab Kumar Ghosh, Partha Mukherjee, Sakti Singh, Sailendra Nath Masat and Sumit Dey 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 and on further condition that they shall report to the Investigating Officer once in a fortnight until completion of investigation.

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. No.3700 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.)