

CRM 4355 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Khanakul Police Station** Case No. **55 of 2021** dated **07.08.2021** under Sections **448/324/325/308/504/506/34** of the Indian Penal Code.

- A n d -

In the matter of : Abhijit Sasmal @ Ors.

.... Petitioners.

Mr. N. S. Ghosh,

... For the Petitioners.

Mr. S. Chakraborty,

... For the State.

The charge is under various Sections of the Indian Penal Code including Sections 325, 326 and 308.

The petitioners say that there was a dispute between them and their neighbours regarding construction of a building. This led to an altercation. Certain members of the neighbours' family suffered simple injuries. Investigation has been completed. Charge sheet has been submitted. They pray for anticipatory bail.

We have seen the material in the case diary including the injury reports. The injuries are all simple in nature. We have also considered the statements of witnesses. The allegations are omnibus in nature.

On an overall assessment of the material in the case diary and the nature and gravity of the alleged offence, we are of the view that custodial interrogation of the petitioners is not necessary.

Accordingly, in the event of arrest, the petitioners, namely, **Abhijit Sasmal, Biswajit Sasmal, Maya Sasmal, Gita Sasmal, Bimala @ Bina Sasmal, Karuna Sasmal, Anila Sasmal** and **Nilima**

Sasmal 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 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 4355 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.**)