

CRM 5313 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bankura Police Station Case No.89 of 2021 dated 02-06-2021 under Sections 323/325/307/354B/379/506/34 of the Indian Penal Code.

- A n d -

In the matter of : Ratan Chandra Das & Ors.

.... Petitioners.

Mr. Milon Mukherjee,
Mr. Soumya Basu Roy Chowdhuri

... For the Petitioners.

Ms. Sukanya Bhattacharyya,
Mr. Mirza Firoj Ahmed Begg

... For the State.

The petitioners say that there was a dispute with the victim regarding property. The petitioner no.1 is the brother-in-law of the victim. The dispute was regarding property left behind by the father-in-law.

The charge is, *inter alia*, under Section 307 of the Penal Code. There is an injury report. But, there is nothing significant in such report.

We have seen the statements of witnesses under Section 161 of the Code of Criminal Procedure. Charge-sheet has not yet been filed. On an overall assessment of the material on record and the nature and gravity of the offence as well as the *prima facie* involvement of the petitioners in the alleged offence, we are of the view that immediate custodial interrogation of the petitioners is not necessary so long as they cooperate with the Investigating Officer.

Accordingly, in the event of arrest, the petitioners, namely, Ratan Chandra Das, Bandana Das, Rakesh Chandra Das @ Saheb, Ranjit Chandra Das @ Samrat, Priyanka Das @ Punam Das (Chakraborty) and Srimanto Chakraborty, 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 5313 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.)**