

12.03.2021

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AN/ Ct. No. 4

C.R.M. 11168 of 2020

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Jhargram Police Station Case No. 190/2020 dated 29.08.2020 under sections 341/325/308/427/34 of the Indian Penal Code, 1860.

And

In the matter of : **Rajib Barik** **... Petitioner.**

Mr. Soumajit Das Mahapatra
... for the Petitioner.

Mr. Saibal Bapuli, learned A.P.P.
Mr. Bibaswan Bhattacharya
... for the State.

The present application under Section 438 of the Code of Criminal Procedure, 1973 filed at the instance of **Rajib Barik** is taken up for hearing and order.

It is submitted on behalf of the petitioner that there was a free fight among the co-villagers on the issue of cattle of one of the villagers intruding into the land of the other. A counter case was filed by the petitioner earlier following which the present complaint is filed.

The State opposes the prayer for bail and refers to the injury reports in the case diary.

It appears that there was a free fight between the co-villagers over the issue of intruding of the cattle into one of their fields. A

counter case relating to the same incident is also pending. Some injury has been suffered which does not appear to be life threatening.

Considering the nature of offence, we are of the opinion that detention of the petitioner is not required for the purpose of investigation.

Accordingly, we direct that in event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) only with two sureties of like amount to the satisfaction of the arresting officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail is, accordingly, **allowed.**

A copy of the F.I.R. in connection with case No. 189/2020 dated 29.08.2020 is taken on record.

CRM 11168 of 2020 is disposed of.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)