

18.01.2021
SL No.33
AP/ss

CRM 5 of 2021
(Through Video Conference)

Biresh Barman @ Bandi Barman

... Petitioner.

Vs.

The State of West Bengal

... Respondent.

Mr. Hillol Saha Podder, Advocate

...for the Petitioner present in Court.

M/s. Nilay Chakraorty and
Namrata Dass

...for the State present in Court.

The present application has been filed seeking pre arrest bail in Boxirhat Police Station Case No. 166 of 2020 dated 10.10.2020 registered under Sections 341/323/324/325/326/379 of the Indian Penal Code.

The learned counsel for the petitioner submitted that the case has been registered against him ten days after the alleged incident took place. The reason stated to be some money dispute between the parties. None of the injures have been found to be grievous. Only Sections 326 and 379 of the Indian Penal Code are stated to be non-bailable offence. It is alleged that the petitioner had snatched ₹2,500/- from the injured.

On the other hand, learned counsel for the respondent submitted that the injuries inflicted on the complainant have been found to be grievous in nature as opined by the doctor concerned. He

was shifted to district hospital. C.T. Scan was also conducted as head injury was there. There was cut injury on the lip as well.

After hearing learned counsel for the parties and on perusal of the case diary we find that on the head no sharp injury was found as only swelling mentioned in the documents without giving further details.

Keeping in mind the aforesaid facts and without expressing any specific opinion thereon, we find it to be a fit case to grant pre arrest bail.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing of bail bonds to the satisfaction of the arresting officer. The petitioner shall be bound by the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The present petition is disposed of accordingly.

(Rajesh Bindal, J.)

(Saugata Bhattacharyya, J.)