

07.03.2022

Serial no. 05

Dd

CRM (A) 952 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Durgapur** Police Station Case No. **591** of **2021** dated **December 22, 2021** under Sections **143 /188 /332 /333 /353 /323 / 325 /326/307** of the Indian Penal Code.

-And-

In the matter of : **Pankaj Roy Sarkar & Ors.** ... **Petitioners**

Mr. Bikash Ranjan Bhattacharjee, Id. Sr. Adv.
Mr. Rabi Sankar Chattopadhyay, Advocates
... ... For the Petitioners

Mr. Madhusudan Sur, Id. APP
Mr. Manoranjan Mahata, Advocates
... ...For the State

Leave is granted to the learned advocate-on-record of the petitioners to correct the cause title of the petition.

Petitioners seek anticipatory bail.

Learned senior advocate appearing for the petitioners submits that the petitioners were named in the police complaint out of political vendetta. Four petitioners before us requested for holding a rally. At the rally an incident occurred. Since the petitioners asked permission for rally and since the police official knew the petitioners, they were named by the police personnel.

Learned advocate appearing for the State draws the attention of the Court to the injury report and the statements recorded under Section 161 of the Criminal Procedure Code. He submits that several police personnel suffered injuries. One of the police personnel suffered grievous injuries.

From the case diary it appears that one police personnel in respect of whom it is claimed that such personnel suffered grievous injury, the injury report states that such personnel suffered cut on the left eyebrow. The other injuries of other victims are simple in nature.

Considering the fact that the petitioners being implicated on the basis of them being well-known in the locality and considering the fact that the petitioners being implicated out of political vendetta cannot be ruled out at this stage and considering the materials in the case diary as on date, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the Court below and pray for regular bail within a period of four weeks from date and on further condition that the petitioners shall meet the Investigating Officer once in a fortnight till completion of investigation.

Prayer for anticipatory bail of the petitioners is **allowed.**

CRM (A) 952 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)