

05.05.2022

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Ct. No. 29

KAUSHIK

Partly

Allowed

C.R.M.(A) 2049 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gurguripal** Police Station Case No. **61** of **2022** dated **02.04.2022** under Sections 341/323/324/307/506/34 of the Indian Penal Code, 1860.

And

In Re : Dipankar Senapati & Ors.

..... petitioners

Mr. Prasant Kumar Pakrashi

....for the petitioners

Mr. Joydeep Roy

Ms. Sujata Das

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the incident arose out of disputes amongst family members with regard to an immovable property.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that, two persons suffered injuries with one suffering cut injury on the forehead. He submits that, allegation of assault is mainly directed against the petitioner no. 1.

Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in

the case diary, we are unable to grant anticipatory bail to the petitioner no. 1 (Dipankar Senapati).

Accordingly, the application for anticipatory bail is, thus, rejected so far as petitioner no. 1 is concerned.

However, we grant anticipatory bail to the petitioner nos. 2 (Kinkar Senapati), 3 (Kishor Senapati) and 4 (Fani @ Fanindra Senapati).

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- 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 meet the Investigating Officer once in a fortnight till the conclusion of the investigation and on condition that the petitioners shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, partly allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)