

06.06.2022.
66.
Ct.No.28
as
(Allowed).

C.R.M. (A) 2302 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Purulia Town P. S. Case No.81 of 2022 dated 13.05.2022 under Sections 447/323/326/307/506/427/120B of the Indian Penal Code.

In the matter of : Sudip Kumar Mukherjee @ Kaltu & Ors.
... Petitioners.

Mr. Rajdeep Mazumder,
Ms. Shyanti Poddar.
...for the Petitioners.

Mr. Rudradipta Nandy, ld. A.P.P.,
Mr. Bitasok Banerjee.
.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that petitioner no.1 is a member of the Legislative Assembly and petitioner no.2 to 4 are the office bearers of a political party. Out of political grudge, they have been falsely implicated in the present case.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail. It is submitted that the de-acto complainant had uploaded a post in a social media site against petitioner no.1. As a result, he was brutally assaulted by the petitioners. Victim was admitted to hospital and prayer has been made for collection of bed head ticket.

We have considered the materials on record including the statements of witnesses. Though victim is claimed to have been admitted in hospital, injury report placed before us disclose superficial injuries. Possibility of false implication on graver charges due to political animosity cannot be ruled out.

Under such circumstances, we are of the opinion though custodial interrogation of the petitioners may not be necessary, they require to co-operate with investigation in accordance with law.

Accordingly, we direct that in the event of arrest the petitioner 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners shall meet the Investigating Officer once in a week until further orders and on further condition that the petitioners shall appear before the court below and pray for regular bail within four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)

