

14.06.2022.
79.
Ct.No.28
as
(Allowed).

C.R.M. (A) 2571 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Daspur P. S. Case No.208 of 2022 dated 27.05.2022 under Sections 143/323/325/326/307/379/506/34 of the Indian Penal Code.

In the matter of : Ranajit Mondal & Ors.

... Petitioners.

Ms. Afreen Begum,
Mr. M. Rahaman.

...for the Petitioners.

Mr. Ranabir Ray Chowdhury,
Mr. Sandip Chakraborty,
Mr. Moinak Gupta.

.....for the State.

Mr. Mrityunjoy Chatterjee.

...for the de-facto complainant.

Heard the learned Advocates appearing for the parties.

Petitioners submit there is a dispute over management of trust property. They have been falsely implicated in a series of cases.

Learned Advocate for the State opposes the prayer for anticipatory bail.

Learned Advocate for the de-facto complainant submits a criminal case was registered against the petitioners. They were released on bail. Thereafter they have assaulted witnesses.

We have considered the materials on record. Incident occurred in the course of a scuffle between the parties. Injuries do not appear to be grievous. However, keeping in mind the prior history of animosity between the parties and to avoid recurrence in similar incidence, we are of the opinion though custodial interrogation may not be necessary the movement of the petitioners require to be restricted.

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 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 appear before the court below and pray for regular bail within four weeks from date and on further condition that the petitioners while on bail shall not enter the jurisdiction of Daspur Police Station except for the purpose of investigation and/or attending court proceedings and shall provide the address where they shall presently reside and shall report to the officer-in-charge of the police station concerned within whose jurisdiction they shall reside once in a week until further orders.

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

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)

