

24.06.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3003 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Goaltore** Police Station Case No. **165** of **2022** dated **03.06.2022** under Sections 448/324/325/506/354B/427/34 of the Indian Penal Code, 1860.

And

In Re : Shyamsundar Pramanik & Ors.

..... petitioners

Mr. Shraman Sarkar

....for the petitioners

Mr. Sudip Kumar

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the police complaint was registered pursuant to an order passed under Section 156(3) of the Code of Criminal Procedure (Cr.P.C.), which was filed 45 days after the alleged incident.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 161 Cr.P.C. and to the injury report. He submits on instruction that, no one volunteered to record any statement under Section 161 Cr.P.C.

Considering the materials in the case diary, the gravity of the offence and the involvement of the petitioners therein and

considering the delay in lodgment of the complaint, we deem it appropriate to enlarge the petitioners on anticipatory bail.

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 that the petitioner nos. 1 (Shyamsundar Pramanik) and 2 (Debashis Pramanik) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner nos. 3 (Chandana Pramanik) and 4 (Rikta Pramanik @ Rita Pramanik) shall cooperate with the Investigating Officer 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, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

