

28.10.2022

rkb/sb

Sl. No. 20

Ct. No. 28

Allowed

CRM(A) 5021 of 2022

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Contai P.S. Case No. 291 of 2022 dated 16.07.2022 under Sections 307/325/326/34/354(A)/379/427/448/506 of the IPC.

In Re : Manikanchan Majhi @ Moni Majhi & Ors.
..... petitioners

Mr. Shibaji Kumar Das
..... for the petitioners

Mr. Rudradipta Nandy
Ms. Sonali Das
.....for the State

Learned advocate appearing on behalf of the petitioners submits that this case has been filed as a counter blast of the case filed by the parents of the de facto complainant as parents were subjected to torture by the daughter-in-law and son of the de facto complainant. It is further submitted that all the petitioners are villagers who protested against the act on the part of the daughter and son-in-law of the de facto complainant who subjected the parents to torture.

Learned advocate appearing on behalf of the State has referred to the materials in case diary including the statement recorded under Section 164 of the Cr.PC. as well as injury reports.

On careful perusal of the entire materials in case diary, we do not find any reason to put the petitioners in custody as, custodial interrogation is not necessary for the purpose of this case at all.

In such circumstances, we 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/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, and on further condition that the petitioners, while on bail, shall cooperate with the Investigation Officer as and when required for the purpose of investigation.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

Prayer for anticipatory bail is allowed.

Accordingly, the application being CRM(A) 5021 of 2022 is disposed of.

(Bibhas Ranjan De, J.) (Abhijit Gangopadhyay, J.)