

29.05.2023
Vacation Bench
SL No.60
s.biswas/sayandeep
(Allowed)

C.R.M. (A) 2144 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Contai** P.S. Case No. **180 of 2023** dated **25.04.2023** under Sections **447/323/325/307/354/379/506/34** of the IPC.

And

In the matter of: **Raja Pradhan @ Sujay and others**

....Petitioners

Mr. Mayukh Mukherjee

Mr. Abhijit Singh

Mr. Sk. Ariful Islam

Mr. Koustav Lal Mukherjee

...for the Petitioners

Mr. Rudradipta Nandy

Mr. Subrato Roy

...for the State

Learned advocate for the petitioners has submitted that his clients are not involved in the alleged crime. He has further submitted that his clients will cooperate with the investigation in future.

Objections have been raised on behalf of the State on the ground that materials already collected in the case-diary particularly the medical documents would indicate about the necessity of petitioners to be taken into custody for the purpose of proper investigation.

Considering the submissions and materials available in the case diary and having regard to the injury report and also the other materials like statements, seizure list, etc., we are of the opinion that the petitioners' custody for the purpose of investigation may not be imperative and thus, allowed their application for anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.5,000/- (Rupees Five Thousand Only) 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 will report before the Investigating Officer once in a week till the conclusion of the investigation and on condition that the petitioners shall appear every date before the jurisdictional Court on the date fixed for appearance of the accused and shall not leave the jurisdiction of the police station except for the purpose of appearing before the Court and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners.

CRM (A) 2144 of 2023 is disposed of.

(Rai Chattopadhyay, J.)

(Tirthankar Ghosh, J.)