

07.07.2023
Sl. No.50
as
[ALLOWED]

C. R. M. (A) 2684 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 13.06.2023 in connection with Potashpur Police Station Case No. 133 of 2023 dated 01.04.2023 under Sections 307/323/325/34/341/342/354/379/385/506 of the Indian Penal Code.

And

In Re: ***Dhirendra Nath Barik & Ors.***

... .. Petitioners

Mr. Sayan De,
Mr. Sayan Kanjilal,
Mr. Kaustav Shome.

... .. for the petitioners

Mr. Swapan Banerjee,
Mr. Suman De.

... .. for the State

Petitioners submit allegations are concocted and they have been falsely implicated in the case due to political rivalry.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and submits petitioners demanded subscription for puja and when it was refused, they assaulted the victim.

We have considered the materials on record. Petitioners are elderly members of the society. Possibility of false implication due to political rivalry cannot be ruled out. Injury is not severe.

Under such circumstances, we are of the opinion petitioners may be granted anticipatory bail, however, subject to conditions.

Accordingly, we direct that in the event of arrest, the accuseds/petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure, 1973 and on further condition that the petitioners, while on bail, shall meet the Investigating Officer once in a week until further orders. They shall appear before the court below and pray for regular bail within four weeks from date.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)