

07.08.2023
(D/L 68)
Ct. No.29
Allowed
sdas

CRM (A) 2824 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Talpati Ghat Coastal P.S. Case No. 118 of 2023 dated 06.05.2023 under Sections 307/323/379/427/435/436/448/506/120B of the Indian Penal Code.

In the matter of : Brihaspati Debnath @ Behaspati Debnath
... petitioner

Mr. Uday Sankar Chattopadhyay
Mr. Santanu Maji
Mr. B. Debnath
Ms. Trisha Rakshit

... for the petitioner

Mr. Prasun Kumar Datta, learned APP
Mr. Nirupam Dhali

... for the State

1. Heard the learned Counsel for the parties.
2. About 100 persons with 11 persons named in the FIR are alleged to have vandalised the house of the informant in a political group clash. Two of the persons who have sustained injuries are opined to have suffered simple injuries. There is omnibus allegation against all including petitioners though named in the FIR.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of injury as discussed supra and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper

in the facts and circumstances of the case including the conditions:

- i) The petitioner is directed to appear before the IO once in a fortnight on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
 - ii) The petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
4. Accordingly, the prayer for the anticipatory bail is allowed.
 5. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
 6. The application being CRM(A) 2824 of 2023 is disposed of.
 7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)