

17.08.2023
Sl. No.07(S/L)
[PARTLY
ALLOWED]
as

C. R. M. (A) 3118 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Haringhata Police Station Case No. 269 of 2023 dated 09.07.2023 under Sections 341/323/325/307/34/506 of the Indian Penal Code.

In Re: ***Kanak Roy @ Raju Rakesh Roy & Ors.***

... .. Petitioners

Mr. Kallol Mondal,
Mr. Souvik Das.

... .. for the petitioners

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee.

... .. for the State

1. Petitioners submit they have been falsely implicated due to political rivalry. There was a dispute during the panchayat election and the election was countermandated. Subsequently, petitioner No.1 was elected. As a result, he was falsely implicated.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record including the allegation in the First Information Report. It is alleged petitioner no.1 hit the victim on the head. Medical evidence shows fracture injury on the head and other parts of the body of the victim.
4. Under such circumstances, we are not inclined to grant anticipatory bail to the petitioner No.1, viz., Kanak Roy @ Raju Rakesh Roy.
5. Keeping in mind the extent of complicity of the petitioner nos.2 to 4 and as allegations are generic, we are inclined to grant anticipatory bail to them.
6. Accordingly, we direct that in the event of arrest, the accuseds/petitioners Nos.2 to 4, viz., **2) Samiran Sarkar, 3) Goutam**

Kundu and 4) Amit Chakraborty 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 they shall appear before the court below and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)