

01.09.2023
(D/L 23)
Ct. No.29
Allowed
(SKB)

CRM (A) 3611 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tamluk P.S. Case No.762 of 2023 dated 10.07.2023 under Sections 143/341/323/325/326/307/379/435/506/120B of the Indian Penal Code and Sections 25/27 of Arms Act.

In the matter of : Ranjit Maity and another

... petitioners

Mr. Robiul Islam,
Mr. Asish Santra,
Mr. Raju Mondal

... for the petitioners

Ms. A. Sinha,
Mr. Pinak Kumar Mitra

... for the State

Mr. Sabir Ahmed,
Mrs. Suman Biswas

... for the defacto complainant

1. Heard the learned Counsel for the parties.
2. From the statement of the victim recorded under Section 164 Cr.P.C., we find that present petitioner no.2, Soumesh Dey is alleged to have thrown his cycle on the victim. So far as petitioner no.1, Ranjit Maity is concerned, he and others assaulted the victim by kick. There is also allegation of assault against some other persons.
3. Admittedly, the entire incident happened on the previous day of counting of votes for Panchayat election just before the Strong Room and there had been attack and counter

attack by a mob of about more than 500 persons reigning terror in the area. The victim is stated to have fractured 7th and 8th ribs. Some of the co-accused persons have already been released on anticipatory bail in CRM (A) 2997 of 2023.

4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, mob psychology played vital part in such attack and orchestration of such psychology by remote thorough some influences of the political group and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their 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 petitioners are directed to appear before the IO once in every alternate day and time fixed by the IO for the purpose of investigation till submission of Final Form.
- ii) The petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
- iii) The petitioners shall not leave the jurisdiction of the P.S. without obtaining prior permission from the IO during investigation.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
7. The application being CRM(A) 3611 of 2023 is disposed of.
8. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)