

13.02.2024

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Ct. No. 29

S.D.

P. Allowed

**C.R.M.(A) 476 of 2024**

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **381 of 2023** dated **03.12.2023** under Sections **147/148/149/447/188/332/333/353/307/427/504/506/120B** of the Indian Penal Code.

And

In Re : Arjun Mondal & Ors.

..... petitioners

Mr. Asraf Mondal

...for the petitioners

Mr. Jaydeep Biswas

...for the State

The present police case is one out of four relating to an incident of assault.

Apparently, there are civil disputes between the private parties. A police picket was posted in order to defuse the situation and maintain law and order situation. The police picket was posted pursuant to an order passed by a Civil Court.

Petitioner nos. 1, 2 and 5 to 14 stand implicated in not only assaulting private individuals, but also police personnel in the present police case. Names of petitioner nos. 3 and 4 apparently do not transpire as participants in such assault.

In such circumstances, we grant anticipatory bail to the petitioner nos. 3 and 4.

Accordingly, we direct that in the event of arrest, the petitioners no. 3, Jagannatha Das @ Jagaannath Das @Jaga and petitioner no.4, Pratik Hazra shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner nos. 3 & 4 will report before the Investigating Officer once a month till the conclusion of the investigation. The petitioner nos. 3 and 4 shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner nos. 3 and 4 in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail in respect of the petitioner nos. 3 and 4 is, thus, allowed.

So far as the petitioner nos. 1, 2 and 5 to 14 are concerned, considering the fact that they involved in attacking the police picket which was posted at the locale, we are unable to grant anticipatory bail to the petitioner nos. 1, 2 and 5 to 14 and the prayer for anticipatory bail of the said petitioners is rejected.

C.R.M. (A) 476 of 2024 in respect of the petitioner nos. 1, 2 and 5 to 14 is dismissed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**