

14.05.2024
Court No.08
Item No. 05
Allowed

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CRM (A) 1656 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Nalhati Police Station Case No. 150 of 2024 dated 07.04.2024 under Sections 323/325/326/307/457/354/34 of the Indian Penal Code, 1860.

And

In Re: **Joydev Mondal @ Joaydeb Mondal & Ors.**

Petitioners

Mr. Saikat Chatterjee

Mr. Surojit Basu

Mr. Abdur Rakib

Mr. Puranjan Pal

For the Petitioners

Ms. Baisali Basu

Mr. Asif Dewan

For the State

1. Learned counsel for the petitioners submits that they have been falsely implicated in the instant case.
2. Learned counsel for the State in opposing the prayer for anticipatory bail, has referred to the statement of the wife of the complainant recorded under Section 164 Cr.P.C and also the injury report.
3. Considering the materials available in the case diary, the nature and extent of injury and the involvement of the petitioners in the commission of alleged offence and also having regard to the fact that the main allegation is against Sri Susanta Mondal and the allegations against the present petitioners are omnibus in nature, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/-each, with two

registered sureties of like amount each, one of whom must be local, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioners shall meet the Investigating Officer twice in a week till the submission of the final report and shall not leave the territorial jurisdiction, except with the permission of the learned Trial Court till the submission of the final report.

5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
6. CRM (A) 1656 of 2024 is, thus, disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)