

19.06.2024
Court No.29
Item No. 13

Allowed

sg

CRM (A) 1917 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Palashipara Police Station Case No. 184 of 2024 dated 11.04.2024 under Sections 341/326/307/506 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate, Krishnagar, Nadia.

And

In Re: **Arun Mandal**

Petitioner

Mr. Atis Kumar Biswas
Mr. Jyoti Agarwal

For the Petitioner

Mr. Arijit Ganguly
Ms. Sima Biswas

For the State

1. The learned Counsel for the petitioner submits that during picnic, free fight took place between the parties in which the petitioner has also suffered injury and there has been case and counter-case between the parties.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the injury report of the victim. He shows that the injury suffered is grievous in nature.
3. Considering the materials available in the case diary, the nature of involvement of the petitioner in the commission of alleged crime and the fact that the injury is prima facie as a result of free fight between the two groups in which the petitioner has also suffered injury and there has been case and

counter case between the parties, we are of the view that custodial interrogation of the present petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest the petitioner namely, **Arun Mandal**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner shall meet the I.O. once in a week and as and when required, till the submission of the final report. The petitioner shall appear before the learned Trial Court within two weeks from date in connection with Palashipara Police Station Case No. 184 of 2024 dated 11.04.2024, failing which, it would be open for the learned Trial Court to cancel the bail without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
6. CRM (A) 1917 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.)