

25.06.2024

Court No.29

Item No. 54

Allowed

ar

CRM (A) 1969 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Liluah Police Station Case No. 13 of 2024 dated 06.01.2024 corresponding to G.R Case No. 100 of 2024 under Sections 341/323/324/325/307/504/506/379/427/34 of the Indian Penal Code.

And

In Re: **Avinash Singh @ Avinash Kumar Singh & Anr.**

Petitioners

Mr. Mrityunjoy Chatterjee

For the Petitioners

Mr. Sudip Kumar

Mrs. Rituparna Saha

For the State

1. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the instant case. It is further submitted that two accused persons have been granted anticipatory bail by the learned Sessions Judge, Howrah on 5th February, 2024.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the neighbours recorded under Section 161 Cr.P.C and the injury report.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and having regard to the fact that injury appears to be simple in nature and the fact that charge-sheet has already been filed, 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 namely,
Avinash Singh @ Avinash Kumar Singh & Niraj Singh @ Niraj

Kumar Singh shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two 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 and on further condition that the petitioners shall appear before the learned Chief Judicial Magistrate, Sadar Court, Howrah corresponding to G.R. Case No. 100 of 2024 within two weeks from date and the petitioners shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
6. 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)