

02.07.2024  
SL No. 26  
Court No.29  
Sourav/  
Suvayan  
(Allowed)

**CRM (A) 2028 of 2024**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with **Joypur** Police Station Case No. **72** of **2024** dated **22.04.2022** under Sections **341/323/354B/506/34** of the Indian Penal Code.

And

In the matter of : **Sankar Dinda @ Shankar Dinda** ...petitioner.

Mr. Rafikul Islam Sardar .... for the petitioner.

Mr. Iqbal Kabir  
Mr. Asif Dewan ... for the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and he could not comply with the notice under Section 41A Cr.P.C due to illness.
2. It is submitted that due to property dispute within the family members, a false complaint has been lodged.
3. The learned Counsel for the State submits that from the statement of the defacto complainant and others, it appears that they have assaulted the defacto complainant. The injury report has also been brought to the notice.
4. Considering the materials available in the case diary, the nature and extent of involvement of the petitioner in the commission of the alleged offence and also the nature of injury sustained which appears to be simple, we are of the view that the custodial interrogation of the petitioner is not

necessary. However, the prayer for anticipatory bail of the petitioner is allowed.

5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sankar Dinda @ Shankar Dinda** 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 the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall meet the Investigating Officer of the case once in a week or as and when required till submission of the final report and shall not leave the jurisdiction of Joypur Police Station.
6. It is further directed that the present accused petitioner shall appear before the learned Additional Chief Judicial Magistrate, Uluberia within two weeks from date and pray for regular bail.
7. Accordingly, the application for anticipatory bail being **CRM (A) 2028 of 2024** is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Soumen Sen, J.)**

**(Uday Kumar, J.)**