

21.06.2024
Court No.29
Item No. 14

Allowed

sg

CRM (A) 2049 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Sutahata Police Station Case No. 20 of 2024 dated 09.01.2024 under Sections 341/325/307/506/34 of the Indian Penal Code, pending before the Learned Additional Chief Judicial Magistrate, Haldia, Purba Medinipur.

And

In Re: **Goutam Mallik & Anr.**

Petitioners

Mr. Aabir Ahmed
Mr. Bhaskar Hutlai

For the Petitioners

Mr. Joydeep Roy
Ms. Mamata Jana

For the State

1. The learned Counsel for the petitioners submits that in a free fight between the two groups, the petitioners have suffered injury and the petitioners have also lodged a complaint against the de-facto complainant.
2. The learned Counsel for the State refers to the case diary and the injury report and opposes the prayer for anticipatory bail.
3. Considering the materials available in the case diary and in view of the fact that the injury occurred due to free fight between two groups and the nature of injury does not appear to be grievous in nature and the fact that the charge sheet has already been filed, we are of the view that custodial interrogation of the present petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest the petitioners namely, **Goutam Mallik and Soumitra Mallik**, 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, to the satisfaction of learned Additional Chief Judicial Magistrate, Haldia, Purba Medinipur and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioners shall appear before the learned Trial Court within two weeks from date and thereafter shall appear on each and every date before the learned Trial Court in connection with G.R. Case no. 69 of 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) 2049 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.)