

05.07.2024
Court No.29
Item No. 69

Partly Allowed

sg

CRM (A) 2191 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Tamluk Police Station Case No. 473 of 2024 dated 28.05.2024 under Sections 448/324/325/326/307/506/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Purba Medinipur at Tamluk.

And

In Re: **Sukdeb Khanra & Ors.**

Petitioners

Mr. Navanil De
Mr. Subhrajit Dey

For the Petitioners

Mr. P.K. Dalia, APP
Mr. Soumya Basu Roy Chowdhury

For the State

1. The learned Counsel for the petitioners submits that there was a free fight between the neighbours, as a result of which both the sides have received injuries.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the case diary and the statement of the injured and the neighbours.
3. Considering the materials available in the case diary, the complicity of the petitioners in the commission of the alleged offence, we are of the view that custodial interrogation of the present petitioner nos. 2 and 4 is not necessary. We are not inclined to grant anticipatory bail to the petitioner nos. 1 and 3.
4. Accordingly, we direct that in the event of arrest the petitioner nos. 2 and 4 namely, **Asim Khanra and Kalipada Khanra**, 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 Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and the petitioner nos. 2 and 4 shall meet the I.O. once in a week till the submission of final report. The petitioner nos. 2 and 4 shall appear before the learned Chief Judicial Magistrate, Purba Medinipur at Tamluk, in connection with G.R. Case No. 1811 of 2024 within two weeks from date.

5. Accordingly, the prayer for anticipatory bail of the petitioner nos. 2 and 4 is allowed. The application for anticipatory bail of the petitioner nos. 1 and 3 is rejected.
6. CRM (A) 2191 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.)