

09.7.2024
SL No.64
Ct No. 29
SB

CRM (A) 2277 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Raniganj Police Station Case No. 205 of 2024 dated 22.6.2024 under Sections 341/323/326/506/34 of Indian Penal Code.

And

Soumitra Kumar Man & Anr.

Vs.

The State of West Bengal

Mr. Anjan Bhattacharyya
Ms. Anita Shaw

... for the petitioners.

Mr. Arani Bhattacharyya

... for the State

1. This is an application for anticipatory bail.
2. Learned counsel appearing for the petitioners submits that petitioners have been falsely implicated. There has been a complaint case against the headmaster of this school and for which false complain has been lodged against the petitioners alleging assault.
3. Learned counsel appearing for the State has produced the case diary and submits that the de facto complainant has specifically named the present petitioners in his statement recorded under Section 161 of the Code of Criminal Procedure. State also refers to the injury report.
4. Learned counsel appearing for the State has pointed out to the discrepancies in the medical prescription issued by the Asansol

District Hospital and photographs of the de facto complainant annexed to the petition.

5. Considering the materials available in the case diary, and the fact that there has been a case and a complaint case and also having in regard to the nature of injury and the apparent conflict in the report of the medical officer of Asansol District Hospital and the hospital where the petitioner was subsequently treated, we are of the opinion that custodial interrogation of the petitioners are not necessary.
6. Accordingly, we direct that in the event of arrest, the petitioners 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 the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioners shall meet the Investigating Officer of the case once in week or as and when required and shall not leave the jurisdiction of the Raniganj Police Station without the permission of the Investigating Officer till the submission of the final report.
7. It is further directed that the present petitioners shall appear before the learned Additional Chief Judicial Magistrate, Asansol, Paschim Bardhaman within two weeks from date and pray for regular bail.
8. In default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court
9. Accordingly, the application for anticipatory bail is disposed of.

10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Uday Kumar, J.)

(Soumen Sen, J.)