

11.07.2024
SI No. 24
Court No.29
TN
(partly allowed)

CRM (A) 2324 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Kotwali Police Station Case No. 247 of 2024 dated 08.06.2024 under Sections 341/323/325/307/506/34 of the Indian Penal Code.

And

In the matter of: **Sajal Jana and others.**

- petitioners.

Mr. Kallol Mondal,
Mr. Krishan Roy,
Mr. Souvik Das

.... for the petitioners.

Mr. Suman De,
Ms. Trina Mitra

....for the State.

1. The learned counsel for the petitioners submits that due to political rivalry, a false complaint has been lodged against the petitioners.
2. The learned counsel for the State has produced the case diary which contains the injury report and the statement of the victim as also of the other eye-witnesses.
3. Considering the materials available in the case diary and the nature and extent of complicity of the petitioners in the commission of the alleged offence and the roles specifically played by the petitioners, we are of the view that the petitioner nos. 1 and 2 are not entitled to anticipatory bail.
4. Accordingly, the prayer for anticipatory bail in respect of the petitioner nos. 1 and 2, namely, **Sajal Jana and Sandip Maity @ Sanjib Maity** is rejected.
5. However, the prayer for anticipatory bail in respect of the petitioner nos. 3, 4, 5 and 6 is allowed.

6. Accordingly, we direct that in the event of arrest, the petitioner nos. 3, 4, 5 and 6, namely, **Rahul Singh @ Abhishakh Singh @ Rahul Sing, Raju Guin, Jagannath Guin and Amal Jana** 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.
7. The petitioner nos. 3, 4, 5 and 6 shall meet the Investigation 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 the concerned Police Station till submission of the final report.
8. It is further directed that the present accused petitioner nos. 3, 4, 5 and 6 shall appear before the learned Chief Judicial Magistrate, Paschim Medinipur within two weeks from date and pray for regular bail.
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.

(Soumen Sen, J.)

(Sugato Majumdar, J.)