

12.07.2024
SL No.18
Court No.29
(gc)
(Allowed)

CRM (A) 2331 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Jhargram Police Station Case No.211 of 2023, dated 12.08.2023 under Sections 143/341/323/325/307/427/120B/34 of the Indian Penal Code read with Section 3 of the Prevention of Damage to Public Property Act, 1984 read with 8B of the National High Way Act, 1956.

And

In the matter of : **Aswini Mahato & Ors.**

- Petitioners.

Mr. Rajdeep Mazumder,
Mr. Pritam Roy,
Mr. S. Bhattacharjee,
Ms. Triparna Roy

....For the Petitioners.

Mr. Arindam Sen,
Ms. Rita Datta

... For the State.

1. Heard the learned Counsel for the parties.
2. It appears that due to free fight between the two political groups, some persons were injured.
3. Considering the materials available in the case diary , the nature and extent of complicity of the petitioners in the commission of the alleged offence and possibility of provocation cannot be ruled out at this stage and it is a matter to be considered at the time of trial and also having regard to the fact that the charge-sheet has already been filed, we are of the view that the custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Aswini Mahato, Khageswar Mahata and Jatin**

Mahata, 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. It is further directed that the petitioners shall appear before the learned Chief Judicial Magistrate at Jhargram within two weeks from date.

5. The petitioners shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.
6. Accordingly, the application for anticipatory bail is disposed of.
7. 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.)