

12.08.2024
SL No.3
Court No.29
(gc)
(Allowed)

CRM (A) 2340 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the BNSS, 2023 filed in connection with Joypur Police Station Case No.166 of 2024 dated 19.05.2024 under Sections 341/326/307/34 of the Indian Penal Code.

And

In the matter of : **Abdul Gaffar Gayen & Ors.**

- Petitioners.

Ms. Pampa Dey (Dhabal),

Ms. Sangita Banerjee

....For the Petitioners.

Mr. Goutam Dinda

....For the De facto Complainant.

Mr. Saibal Bapuli, Ld. A.P.P.,

Ms. Sujata Das

... For the State.

1. Pursuant to our earlier direction, the Investigating Officer has produced the statement of the victim recorded under Section 164 of the Cr.P.C. wherefrom it appears that the victim has clearly stated that the disputes between the parties have been amicably settled.
2. Considering the materials available in the case diary and the statement of the victim recorded under Section 164 of the Cr.P.C. and that the learned Counsel for the de facto complainant has also submitted that the disputes between the parties have been amicably settled, we are of the view that custodial interrogation of the petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Abdul Gaffar Gayen, Abdul Ajid Gayen and Sajjan @ Suburjan Gayen**, shall be released on bail upon furnishing a

bond of Rs.5,000/- 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 corresponding to Section 482 (2) of the BNSS, 2023 with further direction that the petitioner no.3 shall cooperate with the investigation and petitioner nos.1 and 2 shall meet the Investigating Officer once in a fortnight till the submission of the final report.

4. It is further directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Bishnupur, Bankura in connection with G.R. Case No.710 of 2024 within two weeks from date.
5. A copy of the statement of the victim recorded under Section 164 of the Cr.P.C. is kept with the record.
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.)