

11.07.2024
SL No. 57
Court No.29
TN
(Allowed)

CRM (A) 2357 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Garhbeta Police Station Case No. 81 of 2024 dated 13.03.2024 under Sections 447/323/325/307/509/34 IPC.

And

In the matter of : **Islam Mandal and others.**

- petitioner.

Mr. Amitava Karmakar,
Mr. Pradip Kumar Neogi,
Mr. Arnab Kumar Neogi

....for the petitioner

Mr. Debashis Roy, Ld. PP,
Mr. Bidyut Kumar Roy,
Mr. Rahul Ganguly

... for the State.

1. The learned counsel for the petitioners submits that due to village rivalry, the petitioners have been falsely implicated.
2. The learned PP appearing on behalf of the State has opposed the prayer for anticipatory bail and has produced the case diary.
3. Considering the materials available in the case diary, nature and extent of complicity of the petitioners in the commission of the alleged offence and having regard to the nature of injury sustained by the *de facto* complainant, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Islam Mandal, Sarfuddin @ Swarup Mandal and Santu Mandal @ Abdul Rof Mandal** 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.

5. The petitioners shall meet the Investigating Officer of the case once in a week till submission of the final report and shall not leave the jurisdiction of Garhbeta police station without the leave of the IO till submission of the final report.
6. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Garhbeta at Paschim Medinipur within two weeks from date and pray for regular bail.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)