

15.7.2024
SL No.25
Ct No. 29
SB

CRM (A) 2374 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Haringhata Police Station Case No. 321 of 2024 dated 22.6.2024 under Sections 341/500/384/506/34 of Indian Penal Code.

And

Sujit Nag
Vs.
The State of West Bengal

Mr. Saurabh Guhathakurata
Mr. Nilanjana Sarkar
Mr. Abhratanu Sarkar ... for the petitioner.

Mr. S.S. Iman
Ms. Nahid Ahmed ... for the State

Mr. Arindam Jana
Mr. Debangana Bhattacharyya
Mr. Sibaji Kr. Das
Mr. Mahiul Islam
Mr. Dipendu Sarkar
Mr. Subhojit Bhattacharyya ... for the de facto complainant

1. Learned counsel appearing for the petitioner submits that petitioner is innocent and he has made a comment in the facebook after Sankar Majumder has posted certain derogatory things.
2. We have heard the learned advocates for the parties.
3. The de facto complainant has submitted that derogatory remarks have been made against the de facto complainant who is a member of a criminal bar at Kalyani. A complaint has been made with a local policed station under Scheduled Castes and Scheduled Tribes Act, which is yet to be registered.
4. Learned counsel appearing for the State in opposing the prayer for anticipatory bail and refers to the facebook chat between the

parties and submits that derogatory remarks have been made against the de facto complainant.

5. Considering the materials in the case diary and having regard to the fact that the said post was made immediately after Sankar Majumder has made a comment and it does not specifically refer to the de facto complainant, we are of the opinion that custodial interrogation of the petitioner is not necessary.
6. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 petitioner shall meet the I.O. once in a week or as and when required.
7. It is further directed that the present petitioner shall appear before the learned Additional Chief Judicial Magistrate, Kalyani, Nadia within two weeks from date and pray for regular bail.
8. It is further directed that the petitioner 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 presence of the petitioner 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.)

