

Court No. 29
(266041)

CRM (A) 2377 of 2024

15.07.2024

(AD 28)

(S. Banerjee)

(Allowed)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagrik Suraksha Sanhita in connection with Bhupatinagar Police Station Case No. 310 of 2023 dated 08.08.2023 under Section 341/325/326/307/379/34 of the Indian Penal Code read with Sections 25/27 of Arms Act.

And

In the matter of: Puspendu Pradhan & Ors.

...petitioners

Mr. Rajdeep Mazumder
Mr. Moyukh Mukherjee
Mr. Koustav Lal Mukherjee
Mr. Souvik Palodhi

... for the petitioners

Mr. A. Sen
Ms. Pinky Sarkar

... for the State

1. Petitioners are workers and post holders of an opposition political party of the State. It is alleged that there has been several false cases initiated against them by the police administration with a view to prevent them from participating in their political activities.
2. It appears that the complaints were lodged before the earlier Panchyet election. There has been an altercations and scuffled between two groups in which it is alleged that the de facto complainant has suffered grievous hurt. However, records reveals that although the cases were started under Section 307 of the Penal Code after lengthy

discussions charge sheet has submitted under other lesser sections.

- 3.** We have considered the injury report which does not appear to be serious in nature. The chance of false implication of the petitioners cannot be completely ruled out.
- 4.** We are of the opinion that custodial interrogation of the petitioner is not necessary.
- 5.** Accordingly, we direct that in the event of arrest, the petitioners 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. The petitioners shall not leave the jurisdiction of the Bhupatinagar police station till the submission of the final report
- 6.** It is further directed that the present petitioner shall appear before the learned Additional Chief Judicial Magistrate, Contai Purba Medinipur within two weeks from date and pray for regular bail.
- 7.** It is further directed that 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 presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

8. Accordingly, the application for anticipatory bail is disposed of.
9. 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.)