

31.07.2024
Court No.29
Item No. 19

Allowed

sg

CRM (A) 2513 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Bhupatinagar Police Station Case No. 451 of 2022 dated 28.11.2022 under Sections 341/506/34 of the Indian Penal Code read with Section 3/4 of the E.S. Act, pending before the learned Additional Chief Judicial Magistrate, Contai.

And

In Re: **Chiranjit Jana & Ors.**

Petitioners

Mr. Rajdeep Mazumdar
Mr. Moykh Mukherjee
Mr. Koustav Lal Mukherjee
Ms. Sarmistha Basak
Mr. Souvik Palodhi

For the Petitioners

Ms. Antarikhya Basu
Mr. Debanshu Ghorai

For the State

1. Claiming parity with Tapan Midya (in CRM(A) 2375 of 2024), Manas Mandal (in CRM(A) 2379 of 2024 and Pushpendu Pradhan & Ors. (in CRM(A) 2377 of 2024), Mr. Rajdeep Mazumder, learned counsel appearing on behalf of the petitioners, have prayed for anticipatory bail.
2. Learned counsel for the State in opposing the prayer has produced case diary and submitted that from the statements of the eyewitnesses which directly implicate the petitioners of hurdling bombs to the procession of a rival political party. Similar argument was taken note of the earlier decision along with the injury report.
3. Considering the fact that the petitioners stand on the same footing as that of the other co-accused who have been enlarged on bail on consideration of the

involvement of the petitioners in those cases and also the injury report and as we are of the view that they stand on the same footing, we allow the prayer for anticipatory bail to the petitioners.

4. Accordingly, we direct that in the event of arrest, the petitioners 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, corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioners shall meet the IO 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.
5. It is further directed that the present petitioners shall appear before the learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur within two weeks from date and pray for regular bail.
6. 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 petitioners in court including canceling the anticipatory bail granted without further reference to this court.
7. Accordingly, the application for anticipatory bail is allowed.
8. CRM (A) 2513 of 2024 is, thus, disposed of.
9. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)