

15.7.2024
SL No.57
Ct No. 29
SB

CRM (A) 2406 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Indas Police Station Case No. 105 of 2024 dated 05.6.2024 under Sections 448/324/325/307/506/34 of Indian Penal Code.

And

Tuhin Subhra Nandi & Ors.

Vs.

The State of West Bengal

Ms. Pampa Dey (Dhabal)

Mr. Biswarup Chatterjee

... for the petitioners.

Mr. Arnab Chatterjee

Mr. Bikram Mitra

... for the State

1. Learned counsel appearing for the petitioners submits that petitioners are innocent and they have been falsely implicated. He submits that petitioners have also made written complaint against the de facto complainant and his other family members.
2. Learned counsel appearing for the State in opposing the prayer and has referred to the injury report and the subsequent complaint lodged by the de facto complainant alleging threat and intimidation.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and prima facie it appears that there is a case and counter case between the petitioners, in which both sides are made allegation against each other and having regard to the nature of the injury, we are of the view that custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners namely, **Tuhin Subhra Nandi, Mukumda Majhi & Tarani Majhi** 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. The petitioners shall meet the I.O. once in a week or as and when required.
5. It is further directed that the present petitioners shall appear before the learned Additional Chief Judicial Magistrate, Bishnupur, Bankura 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 cancelling the anticipatory bail granted without further reference to this Court.
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.

(Uday Kumar, J.)

(Soumen Sen, J.)