

12.08.2024

Court No.29

Item No. 08

Allowed

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CRM (A) 2514 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sainthia Police Station Case No. 202 of 2024 dated 05.06.2024 corresponding to G.R Case No. 918 of 2024 under Sections 448/324/325/326/354/379/307/427/34 of the Indian Penal Code.

And

In Re: Somnath Bagdi & Ors.

Petitioners

Mr. Saryati Datta
Mr. Sanjib Kumar Dan
Mr. Chitrak Biswas

For the Petitioners

Mrs. Subhasree Patel
Mr. Bikram Mitra

For the State

1. Learned counsel appearing for the petitioners submits that due to political rivalry a false complaint has been lodged against the petitioners and they have been falsely implicated.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the injury report and the statement injured persons recorded under Section 164 Cr.P.C.
3. Considering the materials available in the case diary it appears that on the day when the election result was declared there were free fight between the parties in which some injury has been sustained by the de-facto complainant, but the injury was not on the vital part of the body, as would appear from the injury report, 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, **Somnath Bagdi, Lakshan Das @ Lakhai Bayen Das, Jagannath Bayen, Satodal Bagdi @ Satadal Bagdi and Tamal Bagdi** 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, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioners shall meet the Investigating Officer once in a week till the submission of the final report and the petitioners shall not leave the jurisdiction of District Birbhum without the leave of the I.O and on further condition that the petitioners shall appear before the learned Chief Judicial Magistrate, Suri, Birbhum within two weeks from date in connection with G.R Case No. 918 of 2024. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
6. 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)

