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CRM (A) 2640 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 Kotwali Police Station Case No. 168 of 2024 dated 17.04.2024 corresponding to G.R Case No. 1016 of 2024 under Sections 342/353/186/506/120B of the Indian Penal Code.

And

In Re: **Sankar Kumar Guchhait**

Petitioner

Mr. Rajdeep Mazumder
Mr. Moyukh Mukherjee
Mr. Abhijit Singh
Ms. Sarmistha Basak

For the Petitioner

Mr. Subrata Roy
Mr. Subham Bhakat

For the State

1. The petitioner is the Vice-President of Medinipur Organisational District belong to the party in opposition in the State of West Bengal.
2. Mr. Rajdeep Mazumder, learned counsel for the petitioner, submits that due to political rivalry a false complaint has been lodged against the petitioner.
3. Learned counsel for the State in opposing the prayer of anticipatory bail has referred to the statement of one witness recorded under Section 161 Cr.P.C. He submits that the petitioner along with others have surrounded the duty officer of the local police station and threatened him in dire consequences, in the event their directions are not followed. The petitioner along with others have prevented the police in discharging their duties.
4. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the fact that the allegations are omnibus in nature, we are of the view that custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sankar Kumar Guchhait** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, 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 petitioner shall meet the I.O once in a fortnight till the submission of the final report and on further condition that the petitioner shall appear before the learned Chief Judicial Magistrate, Paschim Medinipur, within two weeks from date. 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.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
7. 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)