

20.08.2024  
Sl No.11  
Court No. 29  
TN  
(Partly allowed)

**CRM (A) 2692 of 2024**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Patiram Police Station Case No.96 of 2024 dated 20.04.2024 under Sections 341/323/376/511/34 of the Indian Penal Code.

And

In the matter of : **Gour Barman and others**

.... petitioners

Mr. Koushik Choudhury,  
Ms. Busra Khatun

....for the petitioners

Ms. Minoti Gomes,  
Ms. Purnima Ghosh

... for the State

1. Heard the learned counsel for the parties.
2. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners as revealed from the statement of the injured and the other witnesses read with the injury report, there has been specific overt act attributed to the petitioner no.1, we are not inclined to grant anticipatory bail to the petitioner no.1. Accordingly, the prayer for anticipatory bail of the petitioner no.1, namely, **Gour Barman**, is rejected.
3. However, having regard to the fact and the nature of involvement of the petitioner nos.2 and 3, we are inclined to grant anticipatory bail to the petitioner nos.2 and 3.
4. Accordingly, we direct that in the event of arrest, the petitioner nos.2 and 3, namely, **Dipali Barman and Doly**

**Barman** respectively 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 BNSS, 2023.

5. The petitioner nos.2 and 3 shall cooperate with the investigation.
6. It is further directed that the present accused petitioner nos.2 and 3 shall appear before the learned Additional Chief Judicial Magistrate, Balurghat, Dakshin Dinajpur within two weeks from date and pray for regular bail.
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.

**(Soumen Sen, J.)**

**(Uday Kumar, J.)**