

22.08.2024
Court No.29
Item No. 3

Allowed
sg

CRM (A) 2714 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 Bhagbanpur Police Station Case No. 146 of 2024 dated 14.06.2024 under Sections 498A/307/34 of the Indian Penal Code and sections 3/4 of D.P. Act, pending before the learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur.

And

In Re: **Sankar Chandra Patra & Ors.**

Petitioners

Mr. Indrajit Chatterjee

For the Petitioners

Mr. Arnab Chatterjee

Ms. Sudipa Biswas

For the State

Ms. Tannistha Bandyopadhyay

For the de-facto complainant

1. The affidavit of service filed in Court is taken on record.
2. The learned Counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated.
3. The learned Counsel for the defacto complainant has submitted that all the persons have been named in FIR.
4. The learned Counsel for the State has produced the case diary and the injury report and referred to the statement of the victim.
5. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence, the nature of injury report and also having regard to the fact that the statement of the victim recorded under section 161 of the Cr.P.C. which directly implicates the husband of physical and mental torture and the allegation against the other

persons are general in nature, we are inclined to grant anticipatory bail to the present petitioners.

6. Accordingly, we direct that in the event of arrest the petitioners namely, **Sankar Chandra Patra, Kabita Patra, Sanjay Patra, Diapli Patra, Swapan Patra, Mamata Patra and Tusar Patra**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita. The petitioner nos. 1, 3, 5 and 7 shall meet the I.O. once in a week till the submission of final report and the petitioner nos. 2, 4 and 6 shall cooperate with the investigation. The petitioners shall appear before the learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur within two weeks from date.
7. In the event the petitioners fail to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
8. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
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.)