

12.08.2024

Court No.29

Item No. 14

Allowed

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CRM (A) 2727 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to section 438 of the Code of Criminal Procedure in connection with Ramnagar Police Station Case No. 85 of 2024 dated 25.04.2024 corresponding to G.R Case No. 1376 of 2024 under Sections 448/325/326/307/354/376/511/506/34 of the Indian Penal Code.

And

In Re: **Subal Mondal & Ors.**

Petitioners

Mr. Rajdeep Mazumder

Mr. Pritam Roy

Mr. Sayan Mukherjee

For the Petitioners

Mr. Binoy Kumar Panda

Mr. Sudeshna Das

For the State

1. Learned counsel appearing for the petitioners submits that due to political rivalry they have been falsely implicated.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement injured persons recorded under Section 164 Cr.P.C and the injury report.
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 having regard to the injury report which does not show any injury on the vital part of the body and no active bleeding injury could be found, 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,
Subal Mondal, Simanta Mondal, Rabin Mondal, Prasenjit Patra and

Manas Chitrakar 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 on further condition that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Diamond Harbour, South 24 Parganas, within two weeks from date in connection with G.R Case No. 1376 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)