

12.08.2024  
Sl No.19  
Court No. 29  
TN  
(Allowed)

**CRM (A) 2732 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 Bharatpur Police Station Case No.30 of 2024 dated 09.02.2024 under Sections 447/323/325/307/354/427/34 of the Indian Penal Code.

And

In the matter of : **Baidyanath Pal and another**

.... petitioners

Mr. Mrityunjoy Chatterjee,  
Ms. Debjani Dasgupta,  
Mr. Debapriya Majumder

....for the petitioners

Mr. Sanjoy Bardhan,  
Mr. Sayan Dev Kumar

... for the State

1. The learned counsel for the petitioners submits that due to land dispute, the petitioners have been falsely implicated.
2. The learned counsel for the State has produced the case diary which contains the injury report and the statement of the injured recorded under Section 161 of the Code of Criminal Procedure.
3. It appears from the case diary that due to land dispute, a free fight took place between the parties in which both the parties have suffered injury and there has been case and counter-case between the parties. Moreover, the injury is not on the vital part of the body.
4. Considering the aforesaid, we are of the view that custodial interrogation of the petitioners is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Baidyanath Pal and Tanmoy Pal** 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.
6. The petitioners shall meet the Investigating Officer once in a week till submission of the final report.
7. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Kandi Murshidabad within two weeks from date and pray for regular bail.
8. Accordingly, the application for anticipatory bail is disposed of.
9. 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.)**