

12.08.2024
Sl No.24
Court No. 29
TN
(Allowed)

CRM (A) 2737 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 Garhbeta Police Station Case No.458 of 2023 dated 11.09.2023 under Sections 341/325/326/307 of the Indian Penal Code, 1860.

And

In the matter of : **Rajkumar Tudu**

.... petitioner

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick,
Mr. Arnab Kr. Neogi

....for the petitioner

Ms. Sonali Das,
Mr. Tapas Kumar Saha

... for the State

1. The learned counsel for the petitioner submits that over an issue of parking of bicycle altercation took place between the parties and it is alleged that the petitioner has inflicted injury on the body of the *de facto* complainant.
2. The learned counsel for the State has produced the case diary and submits that independent eye-witness has implicated the petitioner for the commission of the alleged offence.
3. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence and the injury report which does not appear to be grievous in nature and not on the vital part of the body and not caused by dangerous weapon, we are of the view that custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Rajkumar Tudu** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 shall meet the Investigating Officer once in a week till submission of the final report.
6. It is further directed that the present accused petitioner shall appear before the learned Additional Chief Judicial Magistrate, Garhbeta at Paschim Medinipur 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.)