

12.08.2024
Sl No.45
Court No. 29
TN
(Allowed)

CRM (A) 2758 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 Daspur Police Station Case No.697 of 2023 dated 23.12.2023 under Sections 341/323/325/307/354B/379/506/34 of the Indian Penal Code.

And

In the matter of : **Dulan Roy @ Dolan Roy and another**

.... petitioners

Mr. Amitabha Karmakar,
Mr. Anup Kr. Bhowmick

....for the petitioners

Mr. Pravash Bhattacharya,
Mr. Raju Mondal

... for the State

1. The learned counsel for the petitioners submits that the petitioners are the next door neighbours of the *de facto* complainant and they picked up a quarrel over the issue of beating street dogs.
2. The learned counsel for the State has produced the case diary and has drawn our attention to 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 appear to be grievous in nature and the circumstances in which the said incident had taken place and also having regard to the fact that charge sheet has already been filed, 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, **Dulan Roy @ Dolan Roy and Tanu Roy @ Tanmoy Roy** respectively shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two registered sureties of like amount each, 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. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Ghatal, Paschim Medinipur within two weeks from date and pray for regular bail.
6. Accordingly, the application for anticipatory bail is disposed of.
7. 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.)