

12.08.2024

Court No.29

Item No.54

Allowed

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CRM (A) 2767 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Palashipara Police Station Case No. 323 of 2024 dated 29.06.2024 corresponding to S.L No. 1369 of 2024 under Sections 341/325/307/354b/506/34 of the Indian Penal Code.

And

In Re: **Arup Pramanik**

Petitioner

Mr. Amanul Islam

Mr. Sourav Mukherjee

Ms. Sanjana Saha

For the Petitioner

Mr. Sanjoy Bardhan

For the State

1. Learned counsel for the petitioner submits that over a boundary dispute between the neighbours the petitioner has been falsely implicated.
2. Learned counsel for the State has produced the case diary and refers to the statement of the injured and the injury report.
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 circumstances under which the said incident took place and also having regard to the nature of the injury and alleged weapon used, 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, **Arup Pramanik** 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, 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 petitioner shall meet the Investigating Officer once in a week till the submission of the final report and on further condition that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Tehatta at Nadia, corresponding to S.L No. 1369 of 2024, within two weeks from date. 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 petitioner 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)