

19.08.2024

Court No.29

Item No. 27

Allowed

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CRM (A) 2817 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 Patrasayer Police Station Case No. 85 of 2024 dated 08.06.2024 corresponding to G.R Case No. 791 of 2024 under Sections 341/325/326/307/379/506/34 of the Indian Penal Code.

And

In Re: **Rajesh Ghosh & Ors.**

Petitioners

Mr. Rajdeep Mazumdar
Mr. Mayukh Mukherjee
Ms. Sagnika Banerjee
Ms. Sarmistha Basak

For the Petitioners

Mr. Saryati Dutta
Mr. Debanshu Ghorai

For the State

1. Heard the learned counsel appearing for the parties.
2. It appears that free fight took place between the parties on the date of declaration of election result.
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 the nature of injury, which appears to be simple in nature and the circumstances for which the injury has been caused, 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, **Rajesh Ghosh, Bhajahari Ghosh, Tapan Ghosh & Sahadeb Ghosh** 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 at Bishnupur within two weeks from date in connection with G.R Case No. 791 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)