

20.08.2024

Court No.29

Item No. 39

Allowed

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CRM (A) 2884 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nandakumar Police Station Case No. 197 of 2024 dated 23.03.2024 corresponding to G.R Case No. 966 of 2024 under Sections 307/323/341/506/34 of the Indian Penal Code.

And

In Re: **Biswanath Das**

Petitioner

Mr. Navanil De
Mr. Subhrajit Dey

For the Petitioner

Mr. Joydeep Roy
Ms. Rita Dutta

For the State

1. Heard the learned counsel for the parties.
2. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having considered the injury report, which appears to be simple in nature and the fact that the charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Biswanath Das** 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 and on further condition that the petitioner shall appear before the learned Chief Judicial Magistrate, Purba Midnapore, at Tamluk corresponding to G.R. Case No. 966 of 2024 within two weeks

from date and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. 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.

4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
5. 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)