

29.08.2024
SL No.34
Court No.29
(gc)
(Allowed)

CRM (A) 2939 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 filed in connection with Asansol (South) Police Station Case No.182 of 2024 dated 13.06.2024 under Sections 147/149/307/379/323/325/506 of the Indian Penal Code.

And

In the matter of : **Bijoy Kumar Gupta @ Vicky Kumar Gupta @ Bijay Gupta @ Bijoy Gupta**

- Petitioner.

Mr. Avik Ghatak

Mr. Abhinav Rakshit

....For the Petitioner.

Mr. Suman De,

Mr. Ashok Das

... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated due to previous grudge.
2. The learned Counsel for the State has opposed the prayer for anticipatory bail and produced the case diary.
3. 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 the circumstances in which such incident had occurred and also having regard to the injury report which does not classify the injury as grievous in nature, 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, **Bijoy Kumar Gupta @ Vicky Kumar Gupta @ Bijay Gupta @ Bijoy Gupta**, 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. It is directed that the petitioner shall meet the I.O. once in a week till the conclusion of the final report.

5. It is further directed that the petitioner shall appear before the learned Chief Judicial Magistrate at Asansol in connection with G.R. Case No.1397 of 2024 within two weeks from date.
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.)