

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

CRM (A) 2933 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 Harishchandrapur Police Station Case No.315 of 2024 dated 17.04.2024 under Sections 341/323/324/325/326/506 & 34 of the Indian Penal Code.

And

In the matter of : **Tapas Ghosh**

- Petitioner.

Mr. Soupal Chatterjee,
Mr. Anupam Das

....For the Petitioner.

Mr. Joydeep Roy,
Ms. Diksha Ghosh

... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the injured and the injury report.
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 having regard to the injury report which does not classify the injury as grievous in nature and also having regard to the fact that the charge-sheet has already been filed, 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, **Tapas Ghosh**, 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.

5. It is further directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Chanchal, Malda in connection with G.R. Case No.966 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.)