

27.08.2024

Court No.29

Item No.30

Allowed

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CRM (A) 2943 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 Haldia Police Station Case No. 85 of 2024 dated 22.06.2024 corresponding to G.R Case No. 1496 of 2024 under Sections 341/323/325/307/506/34 of the Indian Penal Code.

In Re: **Shivam Kumar**

Petitioner

Mr. Swapan Kumar Mallick

Mr. Abhinaba Mukherjee

For the Petitioner

Ms. Minoti Gomes

Ms. Paromita Sahu

For the State

1. Heard the learned counsel appearing for the parties.
2. The dispute is between two college students over a dinner at a restaurant.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the allege offence and the injury report and the statement of the injured, fwe 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, **Shivam Kumar** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, 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 corresponding to Section 482(2) of the BNSS, 2023. The petitioner shall meet the I.O once in fortnight till the submission of the final report and on further condition that the petitioner shall appear before

the learned Additional Chief Judicial Magistrate, Haldia, within two weeks from date in connection with G.R Case No. 1496 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 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)