

03.09.2024
AD-51
Court No. 29
TN
(Allowed)

CRM (A) 3040 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Krishnaganj Police Station Case No.117 of 2024 dated 25.03.2024 under Sections 341/325/307/34 of the Indian Penal Code.

And

In the matter of: **Pintu Bhakta @ Nilay and others**

.... petitioners

Mr. Prabir Majumdar

....for the petitioners

Ms. Subhashree Patel,
Mr. Habib Hassan

....for the State

1. Heard the learned counsel for the parties.
2. Over an incident during holi, free fight appears to have taken place between the parties and both sides have lodged complaints against each other. The learned counsel for the petitioners has also submitted that the FIRs of the petitioners are prior point of time which has not been disputed.
3. We have also taken into consideration the injury report which does not appear to be grievous in nature.
4. Having regard to the nature of complicity of the petitioners in the commission of the alleged offence and the injury report and the circumstances under which such incident had occurred and there has been case and counter-case between the parties, we are of the view that custodial interrogation of the petitioners is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Pintu Bhakta @ Nilay, Amit Biswas, Amiyo Biswas, Sanju Biswas @ Sumit Roy, Samir Biswas @ Samir Roy, Bhola Bhakta, Surajit Biswas @ Sudip and Dipankar Biswas** respectively shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two registered sureties of like amount each, 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.
6. The petitioners shall meet the Investigating Officer as and when required.
7. It is further directed that the present accused petitioners shall appear before the learned Chief Judicial Magistrate, Nadia at Krishnagar within two weeks from date.
8. Accordingly, the application for anticipatory bail is disposed of.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Shampa Dutt (Paul), J.)