

05.09.2024
Court No.29
Item No. 42

Allowed
sg

CRM (A) 3107 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Raiganj Police Station Case No. 698 of 2024 dated 17.07.2024 under Sections 126(2)/115(2)/117(2)/109/3(5) of the BNS, pending before the learned Chief Judicial Magistrate, Raiganj, Uttar Dinajpur.

And

In Re: **Ratan Barman & Ors.**

Petitioners

Mr. Jisan Iqbal Hossain

For the Petitioners

Mr. Md. Adil Badr

Ms. Debjani Dasgupta

For the State

1. We have heard the learned Counsel for the parties.
2. Considering the materials available in the case diary it appears that the dispute of this case took place between two groups regarding the issue of construction of public road and the victim was assaulted and he received injuries. On perusal of the injury report in the case diary, this Court finds that there is no such injury mentioned. Accordingly, we are of the view that custodial interrogation of the present petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest the petitioners namely, **Ratan Barman, Prasadu Barman, Ajoy Barman, Satyen Barman, Umakanta Barman and Ratikanta Barman @ Malikanta** shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of

the Code of Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita. The petitioner shall meet the I.O. as and when required.

4. In the event the petitioners fail to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel his bail in accordance with law without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
6. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Shampa Dutt (Paul), J.)