

05.09.2024
Court No.29
Item No. 54

Allowed
sg

CRM (A) 3119 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 Contai Police Station Case No. 0547 of 2024 dated 16.08.2024 under Sections 191(2)/190/223/221/285/126(2)//132/121(1)(2)/117(2)/109/304/351(3)/3(5) of BNS read with Section 9 of Maintenance of Public Order Act read with Section 8B of National Highway Act, pending before the learned Additional Chief Judicial Magistrate, Contai.

And

In Re: **Sushil Das**

Petitioner

Mr. Rajdeep Mazumder
Mr. M. Mukherjee

For the Petitioner

Mr. Debashish Roy
Ms. Baisali Basu
Ms. Baishakhi Chatterjee

For the State

1. The learned Counsel for the petitioner submits that the petitioner is a worker of the party in opposition and he has been falsely implicated over an agitation recently taken place in the city of Kolkata over R.G. Kar incident.
2. The learned Counsel for the State has produced the case diary, the statement of the injured and the medical report and opposed the prayer for anticipatory bail.
3. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of alleged offence and having regard to the nature of injury, we are of the view that custodial interrogation of the present petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest the petitioner namely, **Sushil Das**, shall be released on bail upon furnishing a bond of Rs.5,000/-, with two registered sureties of like amount each, 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.
5. In the event the petitioner fails 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.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
7. 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.)