

05.09.2024
Court No.29
Item No. 60

Allowed
sg

CRM (A) 3125 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 Hirapur Police Station Case No. 135 of 2024 dated 22.05.2024 under Sections 448/323/324/325/307/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Asansol, Paschim Bardhaman.

And

In Re: **Suman @ Balbir Singh**

Petitioner

Md. Bani Israil

For the Petitioner

Mr. Avishek Sinha

Ms. Debadrita Mondal

For the State

1. We have heard the learned counsel for the parties.
2. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of alleged offence and having regard to the fact that a free fight took place between the parties over a property dispute and the nature of injury which appears to be simple in nature, we are of the view that custodial interrogation of the present petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest the petitioners namely, **Suman @ Balbir Singh**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Asansol, Paschim Bardhaman, 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 appear before the trial court on each and every date of hearing until further orders.

4. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioner 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.)