

10.09.2024

Court No.29

Item No. 61

Allowed

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CRM (A) 3212 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 Kulti Police Station Case No. 642 of 2023 dated 25.11.2023 corresponding to G.R Case No. 3345 of 2023 under Sections 323/325/326/307/34/120B of the Indian Penal Code.

And

In Re: **Ramakant Rai @ Rama Kant Ray @ Dulare & Ors.**
Petitioners

Mr. Apurba Kumar Datta For the Petitioners

Mr. Saibal Bapuli, Ld. APP

Ms. Trina Mitra For the State

1. The dispute over the parking of bike before the shop of Dipak Roy, a hot altercation between the parties was taken place.
2. We have heard the learned counsel appearing for the parties.
3. Considering the materials available in case diary, the nature of involvement of the petitioners in the alleged offence, the injury report, which appears to be simple in nature and also the fact that charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Ramakant Rai @ Rama Kant Ray @ Dulare, Sonu Rai @ Sonu Kumar Ray and Rameshwar Ray @ Iswar Rai** shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two 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 and on further condition that the petitioners shall appear before the **learned Chief Judicial Magistrate, Asansol, Paschim Bardhaman**, corresponding to **G.R Case No. 3345 of 2023** within two weeks from date and the petitioners shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioners shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. 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 petitioners 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)

(Prasenjit Biswas, J)