

17.09.2024

Court No.29

Item No. 42

Allowed

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CRM (A) 3316 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Hura Police Station Case No. 107 of 2024 dated 07.08.2024 corresponding to GR Case No. 1499 of 2024 under Sections 329(4)/115(2)/117(2)/76/109/3(5) of the B.N.S.

And

In Re: **Aswini Modak & Ors.**

Petitioners

Mr. Iqbal Hussain

For the Petitioners

Ms. Sayanti Santra

Mr. Debanik Das

For the State

1. Heard the learned counsel appearing for the parties.
2. Considering the fact that a hot altercation between adjacent owners took place over the cultivation right in which injury has been sustained by the victim. We have carefully read the injury report and the statement of the victim. Although there are wounds and cuts on the person of the injured they are not grievous in nature. On such consideration, we are of the view that custodial interrogation of the petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Aswini Modak, Nayan Modak and Sudip Modak** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, 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. The petitioners shall meet the

Investigating Officer once in a fortnight till the submission of the final report and on further condition that the petitioners shall appear before the **learned Chief Judicial Magistrate, Purulia**, within two weeks from date in connection with GR Case No. 1499 of 2024. 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.

4. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar, J)