

17.09.2024

Court No.29

Item No. 48

Allowed

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CRM (A) 3322 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tehatta Police Station Case No. 489 of 2024 dated 07.07.2024 corresponding to S.L No. 1425 of 2024 under Sections 126(2)/115(2)/117(2)/109/3(5) of the B.N.S, 2023

And

In Re: **Sukhen Sardar @ Suman @ Ramkrishna Sardar & Ors.**

Petitioners

Mr. Asraf Mondal

Md. Bani Israil

For the Petitioners

Mr. Subrato Roy

Ms. Rajarshree Tah

For the State

1. Heard the learned counsel appearing for the parties.
2. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and the nature of injury, which does not appear to be grievous in nature and also considering the circumstances under which such altercation took place, 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, **Sukhen Sardar @ Suman @ Ramkrishna Sardar, Mangal Sharma @ Amal Mondal and Jadu Sardar @ Subrata Sardar** 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 Additional Chief Judicial Magistrate, Tehatta, Nadia**, within two weeks from date in connection with S.L No. 1425 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)