

19.09.2024

Court No.29

Item No. 18

Allowed

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CRM (A) 3352 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 Palashipara Police Station Case No. 429 of 2023 dated 30.12.2023 corresponding to S.L No. 2609 of 2023 under Sections 341/323/325/326/307/34 of the Indian Penal Code.

And

In Re: **Goutam Biswas @ Bapi Biswas & Anr.**

Petitioners

Mr. Asraf Mondal

For the Petitioners

Mr. Sandip Chakraborty

Mr. Dattatreya Dutta

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, 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, **Goutam Biswas @ Bapi Biswas and Apurba Biswas @ Apu Biswas** shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two registered 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. 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. 2609 of 2023**. 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)