

19.09.2024
SL No.28
Court No.29
(gc)
(Allowed)

CRM (A) 3362 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 filed in connection with Arambagh Police Station Case No.263 of 2024 dated 22.05.2024 under Sections 341/323/325/504/354B/379/34 of the Indian Penal Code.

And

In the matter of : **Nityananda Santra**

- Petitioner.

Mr. Niladri Sekhar Ghosh,
Mr. Sourov Mondal,
Ms. Labani Sikder

....For the Petitioner.

Mr. Sudip Kumar, Ld. A.P.P.,
Mr. Subhasish Datta

... For the State.

1. The learned Counsel for the petitioner submits that due to political dispute, a false complaint has been lodged against the petitioner.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the wife of the injured and the medical report.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and also having regard to the injury report which does not appear to be grievous, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner namely, **Nityananda Santra**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down

under 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 petitioner shall meet the I.O. once in a week till the submission of the final report.

5. It is further directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly in connection with G.R. Case No.908 of 2024 within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)