

20.09.2024
SL No.18
Court No.29
(s.biswas)
(Allowed)

CRM (A) 3399 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Chakdah Police Station Case No.1004 of 2024 dated 09.09.2024 under Sections 329(3)/118(2)/109/351(3)/3(5) of the Bhartiya Nyaya Sanhita, 2023.

And

In the matter of : **Dhiman Karmakar and others**

- Petitioners.

Ms. Minoti Gomes
Mr. Shibaji Kr. Das
Mr. Dipendu Sarkar
Ms. Deblina De

....For the Petitioners.

Ms. Sayanti Santra
Mr. Tapas Kumar Saha

... For the State.

1. Heard the learned Counsel for the parties.
2. It appears that the de facto complainant suffered injury in a free fight between two groups.
3. 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 appears to be superficial injury and swelling and laceration of 1 C.M., which does not appear to be grievous in nature and also considering the circumstances on which the incident had occurred, we are of the view that custodial interrogation of the petitioners is not required.
4. Accordingly, we direct that in the event of arrest, the petitioners namely, **Dhiman Karmakar, Rabindra Nath Karmakar @ Poltu, Krishna Karmakar, Samir Saha** and **Subrata Karmakar**, 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, 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 petitioners shall meet the I.O. once in a fortnight till the submission of the final report.

5. It is further directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Kalyani, Nadia in connection with Serial No.1997 of 2024 within 10 days 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.)