

Court No. 29
(266041)

CRM (A) 3425 of 2024

24.09.2024

(AD 14)

(S. Banerjee)

(Allowed)

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 in connection with Hastings Police Station Case No. 49 of 2024 dated 22.06.2024 under Sections 326/307/379/427/506/341/34 of the Indian Penal Code 1860, pending before the learned Chief Judicial Magistrate, Kolkata.

And

In the matter of: **Sanjay Singh**

...petitioner

Ms. Nandini Chatterjee

... for the petitioner

Mr. Binoy Kumar Panda
Mr. Suprava Chatterjee

... for the State

Mr. Atif Ahamed Siddiqui
Md. Hafiz Ali
Mr. Biplab Guha
Mr. Partha Sarathi Basu
Ms. Shanta Sarkar

... for the de facto complainant

1. Heard learned counsel for the parties.
2. The petitioner is a doctor by profession. He is a senior consultant Cardiac Surgeon associated with Belle Vue Clinic.
3. The de facto complainant alleges that he is an advocate and he was riding a motorcycle and over a minor incident by which he touched the bonnet of the car by his right hand in front of the traffic signal near the SSKM Trauma Care Centre. He was badly beaten up by the driver and the present petitioner for which he has sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated and in the altercation he has also suffered injuries.
5. Considering the materials available in the case diary, the statement of the injured read with the injury report and also having regard to the role ascribed to the present petitioner by the de facto complainant, we are of the view that custodial interrogation of the petitioner is not necessary.
6. Accordingly, we direct that in the event of arrest, the petitioner (Sanjay Singh) shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount, one of whom shall be local, to the satisfaction of the arresting officer and 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 Bharatiya Nagarik Suraksha Sanhita, 2023.
7. The petitioner shall cooperate with investigation and shall meet the Investigating Officer once in a fortnight till the submission of the final report and shall appear before the jurisdictional court within a fortnight.
8. Accordingly, the application for anticipatory bail is allowed.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this court.

(Uday Kumar, J.)

(Soumen Sen, J.)