

Court No. 29
(266041)

CRM (A) 3427 of 2024

24.09.2024
(AD 16)
(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 Raniganj Police Station Case No. 493 of 2023 dated 30.11.2023 under Sections 498(A)/304(B)/34 of the Indian Penal Code 1860, pending before the learned Chief Judicial Magistrate, Paschim Bardhaman.

And

In the matter of: **Santosh Ruidas & Ors.**

...petitioners

Mr. Kunal Ganguly

... for the petitioners

Ms. Minoti Gomes

Mr. Sufi Kamal

... for the State

1. Heard learned counsel for the parties.
2. Learned counsel for the petitioners submits that claiming parity with Kailash Ruidas, who was granted anticipatory bail by an order dated 02.07.2024 passed by a coordinate Bench in CRM(DB) 1876 of 2024, the present petitioners may be granted anticipatory bail.
3. Learned counsel for the State in usual fairness admits that the present petitioners are standing on the same footing as that of Kailash Ruidas, who has been granted anticipatory bail on 02.07.2024.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

5. Accordingly, we direct that in the event of arrest, the petitioners (1. Santosh Ruidas; 2. Tarini Ruidas; and 3. Rina Ruidas) shall be released on bail upon furnishing a bond of Rs. 10,000/- each with two registered sureties of like amount, 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, subject to the condition that the petitioners shall appear before the jurisdictional court on each date of substantive hearing subject to the provisions of Section 317 of Cr.P.C. and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
6. In the event the petitioners fail to adhere to any of the conditions stipulated above without any justifiable cause, the learned trial court shall be at liberty to cancel the petitioners' bail in accordance with law without further reference to this court.
7. Accordingly, the application for anticipatory bail is allowed.
8. 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.)