

Court No. 29
(266041)

CRM (A) 3430 of 2024

24.09.2024

(AD 19)

(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 Nalhati Police Station Case No. 86 of 2024 dated 01.03.2024 under Sections 448/323/325/307/354/506/34 of the Indian Penal Code 1860, pending before the learned Chief Judicial Magistrate, Rampurhat, Birbhum.

And

In the matter of: **Indrajit Sen @ Indra Sen & Anr.**
...petitioners

Mr. Saikat Chatterjee
Md. Abdur Rakib
Mr. Mujahid Mehedi
... for the petitioners
Mr. Atif Ahmed Siddiqui
... for the State

1. Heard learned counsel for the parties.
2. Over a free-fight it is alleged that the de facto complainant had suffered injuries.
3. Charge-sheet has not been filed.
4. Considering the materials available in the case diary and having regard to the complicity of the petitioner in the commission of the alleged offence and the nature of injury, which does not appear to be grievous in nature, and also considering the circumstances under which the incident has occurred, we are of the view that custodial interrogation of the petitioners is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioners (1. Indrajit Sen @ Indra Sen and 2. Milon Sen @ Milan Sen) shall be released on bail upon furnishing a bond of Rs. 5,000/- 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.
6. The petitioners shall cooperate with investigation and shall meet the Investigating Officer once in a fortnight and shall appear before the jurisdictional court within a fortnight.
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.)