

24.09.2024

Court No.29

Item No. 25

Allowed

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CRM (A) 3436 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Krishnaganj Police Station Case No. 353 of 2024 dated 12.09.2024 corresponding to S.L No. 4183 of 2024 under Sections 126(2)/115(2)/117(2)/109/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: Ashis Das @ Paltu Das & Ors.

Petitioners

Mr. Amanaul Islam

Mr. Sourav Mukherjee

For the Petitioners

Ms. Sudeshna Das

For the State

1. Heard the learned counsel appearing for the parties.
2. It is alleged that due to previous grudge a false complaint has been lodged against the petitioners.
3. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the injured and the injury report.
4. 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 also having regard to the fact that no specific role has been ascribed against the petitioner nos. 1 and 2, although the name of the petitioner no. 3 has been mentioned. However, considering the nature of injury, which appears to be simple, 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, namely, **Ashis Das @ Paltu Das, Sujoy Mondal @ Fatick and Gupi Nath**

Ghosh @ Gopi Ghosh shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023. The petitioners shall meet the Investigating Officer once in a fortnight till the submission of the final report and on further condition that the petitioners shall appear before the **learned Chief Judicial Magistrate, Nadia at Krishnagar**, within two weeks from date in connection with **S.L No. 4183 of 2024**. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar, J)