

01.10.2024
SL No.17
Court No.29
(gc)
(Allowed)

CRM (A) 3490 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Jhargram Police Station Case No.211 dated 12.08.2023 under Sections 143/341/323/325/307/427/120B/34 of the Indian Penal Code & Section 3 of the PDPP Act and 8B of the National Highway Act.

And

In the matter of : **Bhupati Mahata @ Byhupati Mahata & Ors.**
- Petitioners.

Mr. Sunil K. Srivastava
....For the Petitioners.

Mr. Imran Ali,
Mr. Sandip Kundu
... For the State.

1. The learned Counsel for the petitioners submits that claiming parity with the Aswini Mahato and others, who were granted anticipatory bail by an order dated 12th July, 2024 passed by this Bench in CRM (A) 2331 of 2024, the present petitioners may be granted anticipatory bail.
2. The learned Counsel for the State in usual fairness admits that the present petitioners are standing on the same footing as that of Aswini Mahato and others, who have been granted anticipatory bail on 12th July, 2024.
3. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.
1. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Bhupati Mahata @ Byhupati Mahata, Swapn Mahata @ Swapan Kmar Mahata, Jamini Kanta Mahata @ Jamini**

Mahata, Labangalata Mahata, Sumitra Mahata, Sushila Mahata, Kajal Mahata, Rupali Mahata and Parbati Mahata, 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. It is further directed that the petitioners shall appear before the learned Sessions Judge, Jhargram within 10 days from date.

2. The petitioners shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.
3. Accordingly, the application for anticipatory bail is disposed of.
4. 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.)