

01.10.2024
Court No.29
Item No. 58

Allowed

sg

CRM (A) 3532 of 2024

In Re:- An application for anticipatory bail under Section 482 of Bhartiya Nagrik Suraksha Sanhita, in connection with Kalyani Police Station Case No. 647 of 2024 dated 17.08.2024 under Sections 126(2)/74/303(2)/351(2)/76/3(5) of BNS, pending before the learned Additional Chief Judicial Magistrate, Kalyani, Nadia.

And

In Re: **Himadri Bhattacharjee @ Bhattacharya**
Petitioner

Mr. Shibaji Kr. Das
Mr. Dipendu Sarkar
Ms. Deblina De

For the Petitioner

Md. Ejaz Akhter

For the State

1. Affidavit of service filed in Court today is taken on record.
2. We have heard the learned Counsel for the parties. The State has produced the case diary and opposed the prayer for anticipatory bail.
3. Both the petitioner and the defacto complainant were residing in the same apartment and there appears to be a dispute over parking of a scooty of the defacto complainant and that had laid to filing of a complaint.
4. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of alleged offence and also having regard to the statement of the defacto complainant and the nature of dispute, we are of the view that the custodial interrogation of the present petitioner is not necessary.
5. Accordingly, we direct that in the event of arrest, the present petitioner, namely, **Himadri Bhattacharjee @ Bhattacharya**, shall be released on bail

upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, 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 Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall meet the Investigating Officer once in a fortnight till the submission of final report and the petitioner shall appear before the jurisdictional Court by 8th October, 2024.

6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
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.)