

04.10.2024

Court No.29

Item No. 22

Allowed

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CRM (A) 3560 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Joypur Police Station Case No. 233 of 2024 dated 03.08.2024 corresponding to G.R Case No. 1022 of 2024 under Sections 117(2)/109(1)/74/76/3(5) of the Bharatiya Nyaya Sanhita.

And

In Re: **Parimal Neogi & Ors.**

Petitioners

Mr. Malay Bhattacharyya

For the Petitioners

Mr. Koushik Biswas

Ms. Rita Datta

For the State

1. Heard the learned counsel appearing for the parties.
2. It is submitted that due to dispute over cultivation appears to have been the cause for altercation between two groups.
3. 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 the nature of injury and the circumstances under which such incident had taken place, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Parimal Neogi, Mamani Niyogi, Subimal Neogi, Shrikanta Sarkar, Prasanta Sarkar and Pitambar Sarkar** shall be released on bail upon furnishing a bond of Rs.5,000/- 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, except the petitioner no. 2, once in a fortnight till the submission of the final report and the petitioner no. 2 shall cooperate with the investigation till the submission of the final report following the female norms and on further condition that the petitioners shall appear before the **learned Additional Chief Judicial Magistrate, Bishnupur, Bankura**, within **10 days** from date in connection with **G.R Case No. 1022 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.

5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
6. 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)