

05.10.2024
AD-29
Court No.29
TN
(Allowed)

CRM (A) 3608 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bagdah Police Station Case No. 671 of 2024 dated 13.07.2024 under Sections 126(2)/118(2)/110/303/3(5) of the BNS, 2023.

And

In the matter of: **Haran Biswas @ Haran Chandra Biswas and others**

.... petitioners

Mr. Kallol Mondal,
Mr. Krishan Roy,
Mr. Souvik Das,
Mr. Anamitra Banerjee,
Ms. Isita Kundu

....for the petitioners

Mr. Bidyut Kr. Roy,
Mr. Subhajit Chowdhury

....for the State

1. The learned counsel for the petitioners submits that on the date of counting of votes for the Bagdah By-election, 2024, hot altercation took place between two groups in which both sides have suffered injury and there is case and counter-case. It is further submitted that all the accused in the counter-case have been granted anticipatory bail by the learned Trial Court.
2. The learned counsel for the State in opposing the prayer has referred to the statement of the injured and the injury report.
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 statement of the victim read with the injury report wherefrom it appears that amongst others it was alleged by the injured that the injured was physically assaulted by the petitioner no.3 and having

regard to the nature of the injury sustained and also having regard to the role ascribed to the other petitioners and the circumstances under which such incident had occurred, 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, **Haran Biswas @ Haran Chandra Biswas, Gopal Gayali, Sourav Gayali, Swapan Biswas, Tapan Biswas @ Tapan Kumar Biswas, Goutam Bala and Uttam Bala** respectively 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 482(2) of the BNSS, 2023.
5. The petitioners shall meet the Investigating Officer once in a fortnight till submission of the final report.
6. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate at Bongaon, North 24 Parganas within one week from date.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)