

07.10.2024

Court No.29

Item No. 78

Allowed

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CRM (A) 3646 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chakdah Police Station Case No. 406 of 2023 dated 19.06.2023 corresponding to Serial No. 898 of 2023 under Sections 147/148/149/186/353/325/307/427/506 of the Indian Penal Code read with Sections 3/4 of the Prevention of the Damages of Public Property Act, 1984.

And

In Re: **Ratan Chakraborty & Ors.**

Petitioners

Mr. Shibaji Kumar Das

Mr. Dipendu Sarkar

Ms. Deblina De

For the Petitioners

Ms. Amita Gaur

Mir Anuruzzaman

For the State

1. Heard the learned counsel appearing for the parties.
2. 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 from the statement of the injured no specific role has been ascribed to the petitioners and also the nature of injury is simple and moreover the charge-sheet has already been filed, we are of the view that that custodial interrogation of the petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Ratan Chakraborty, Uttam Sarkar and Sajib Mallick @ Sanjiban Mallick** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered surety 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 and on further condition that the petitioners shall appear before the **learned Additional Chief Judicial Magistrate, Kalyani, Nadia**, corresponding to **Serial No. 898 of 2023** within **three weeks** from date and the petitioners shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioners shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. 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.

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