

07.10.2024

Court No.29

Item No. 89

Allowed

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CRM (A) 3657 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Santipur Police Station Case No. 1109 of 2024 dated 24.08.2024 corresponding to G.R Case No. 3562 of 2024 under Sections 329(4)/117(2)/118(2)/109/61(2)/351(2)(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: Totan Ghosh & Anr.

Petitioners

Mr. Sumanta Das

Mr. Avilash Tripathi For the Petitioners

Mr. Sujan Chatterjee 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 also having regard to the fact that the role ascribed to the present petitioners and the nature of allegation appears to be omnibus and general in nature, so far as the present petitioners are concerned and main accused persons are Asit Ghosh, Nila Ghosh and Jagannath Ghosh 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, **Totan Ghosh and Amaresh Ghosh** shall be released on bail upon furnishing a bond of Rs.5,000/- 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, Ranaghat, Nadia**, corresponding to **G.R Case No. 3562 of 2024** 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)