

08.01.2024
Item No. 97
Ct. No. 29
Sb/cp
Allowed

C.R.M.(A) 4680 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jhargram** Police Station Case No. **09 of 2023** dated **12.01.2023** under Sections **341,323,325,354,354D,308,379,507 and 34** of the Indian Penal Code.

And

In the matter of : Jayanta Roy & Anr.

..... petitioners

Mr. Krishnendu Bhattacharya
Mr. Priyankar Ganguly
Ms. Neelanjana Ghorui
Ms. Sarmistha Basak
....for the petitioners.

Mr. Debasish Roy
....for the State.

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 19, 2023.

By such order, the Coordinate Bench granted interim anticipatory bail to the petitioners.

It is submitted at the bar that, such order was passed without consulting the materials in the case diary and in view of the ensuing puja vacation.

We perused the materials in the case diary.

Police filed charge-sheet. The provisions of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 2015 were omitted in the charge-sheet.

Injury report does not suggest that the injured suffered grievous hurt.

In such circumstances we grant anticipatory bail to the petitioners. We confirm the interim order dated October 19, 2023.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 4680 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)