

04.11.2024
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SG
[ALLOWED]

C. R. M. (A) 3680 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Palashipara Police Station Case No. 476 of 2024 dated 25.09.2024 under Sections 329(2)/115(2)/117(2)/118(2)/109/76/324(4)/303(2)/352/3 (5) of the Bharatiya Naya Sanhita.

In Re: Subrata Sarkar and Ors.

... ... Petitioners

Mr. Amanul Islam,
Mr. Sourav Mukherjee.

... ... for the petitioners

Mr. Rana Mukherjee,
Ms. Puspita Saha

... ... for the State

1. Petitioner submits they have been falsely implicated because of prior enmity. They pray for anticipatory bail
2. Learned Advocate for the State opposes the prayer for anticipatory bail. He submits injury was on a vital part of the body.
3. We have considered the materials on record including injury report. Injury report does not disclose the injury to be grievous.
4. In view of the aforesaid fact, we are inclined to grant anticipatory bail to the petitioner.
8. Accordingly, we direct that in the event of arrest, the petitioners viz., Subrata Sarkar, Biswajit Shikdar @ Sikdar, Ranajit Ray, Nakul Sarkar @ Nakul Chandra Sarkar be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties

of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition petitioner while on bail shall meet the Investigating Officer once in a week until further orders. They shall appear before the court below and pray for regular bail within four weeks from date.

9. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)