

CRM (A) 3765 of 2024

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Contai Police Station Case No. 425 of 2024 dated 06.07.2024 under Sections 379/120B of the Indian Penal Code adding Sections 316(2)/316(5) of Bharatiya Nyaya Sanhita, 2023.

In the matter of : **Ashok Kumar Samanta & Ors.**

..... petitioners

Mr. Rajdeep Majumder
Mr. Pritam Roy
Mr. Abhijit Singh
Mr. Kaustav Lal Mukherjee
Ms. S. Bhattacharjee
Ms. Sagnika Banerjee

.....For the petitioners

Mr. Debasish Roy, Ld. PP
Mr. Ashok Das

.....For the State

1. Learned advocate appearing for the petitioners do not intend to press the application for anticipatory bail on behalf of the petitioner no. 1 as in the meantime, he has been arrested.
2. The application for anticipatory bail of petitioner no. 1, namely, **Ashok Kumar Samanta**, is dismissed as infructuous.
3. So far as the other accused persons are concerned, learned advocate submits that they have been implicated as accused because of political vendetta.
4. Learned Public Prosecutor opposes the application.
5. We have considered the materials appearing in the case diary and the subject matter of the case relating to cutting of trees and the same being sold out.

6. Since the petitioner nos. 2 to 4 are elected representatives whose chances of abscontion are remote, we direct that their application for anticipatory bail be allowed.
7. Accordingly, we direct that in the event of arrest, the petitioner nos. 2 to 4, namely, **Amita Sahoo, Suparna Jana** and **Subham Sahoo**, shall be released subject to the condition that they would furnish 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and would appear before the jurisdictional Court and also before the investigating officer as and when called for till the same is modified by the jurisdictional court.
8. With the aforesaid observations, the application for anticipatory bail, being CRM (A) 3765 of 2024 is, thus, disposed of.
9. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Uday Kumar, J.)

(Tirthankar Ghosh, J.)