

25.11.2024
14
Ct. No. 28
SG
[PARTLY
ALLOWED]

C. R. M. (A) 4050 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 Moyna Police Station Case No. 235 of 2024 dated 20.06.2024 under Sections 447/323/325/307/34 of the Indian Penal Code (G.R. Case No. 2110/2024).

And

In Re: **Shri Aditya Manna and Ors.**

... ... Petitioners

Mr. Sourav Chatterjee,
Mr. Bikram Banerjee,
Mr. Sudipta Dasgupta,
Mrs. Somsubhra Ganguly,
Mr. Baibhav Roy,
Ms. Adrita Dey.

..... for the petitioners

Mr. S.S. Imam,
Mr. R. Jane

..... for the State

1. Petitioners submit there was a land dispute between two families. A free fight ensued. They have been falsely implicated. They pray for anticipatory bail.

2. Learned lawyer for the State opposes the prayer for anticipatory bail. He submits two persons had suffered grievous injuries and were hospitalized.

3. We have considered the materials on record. A free fight ensued over a land dispute. Statement of witnesses implicate the petitioners. However, possibility of roping in all family members particularly womenfolk due to prior enmity cannot be ruled out. Distilling the allegations from that perspective, though we are

not willing to grant anticipatory bail to petitioner nos. 1 and 2, we are inclined to grant anticipatory bail to the womenfolk of the family i.e. petitioner nos. 3 and 4.

4. Accordingly, we direct that in the event of arrest, petitioner nos. 1 & 2 viz., **Smt. Sobha Manna @ Sobharani Manna** and **Smt. Nirmala Manna** 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. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)