

05.12.2024
Item No.6
Ct. No. 26
CHC
Allowed

C.R.M.(A) 4172 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with **Berhampore** Police Station Case No. **1595/2024** dated **16.10.2024** under Sections **316(2)/318(4)/126(2)/117(2)/109(1)/3(5)** of the Bhartiya Nyaya Sanhita, pending before the Learned Additional Chief Judicial Magistrate, Murshidabad.

And

In the matter of: Maitri Dutta @ Maitri Datta & Anr.
..... petitioners

Mr. Phiroze Edulji, Senior Advocate
Ms. Sanjana Saha, Advocate
....for the petitioners

Mr. Joydeep Roy, Ld. Junior Government Advocate
Ms. Trina Mitra, Advocate
....for the State

Mr. Pratip Kumar Chatterjee, Advocate
Mr. Asish Deb, Advocate
Ms. Maitrayee Chatterjee, Advocate
....for the de facto complainant

1. Apparently, an incident of assault took place which gave rise to the present police complaint.
2. There are materials to suggest that, the private parties were assisting each other financially. Apparently, scuffle broke out on the issue of the money transaction. Case Diary does not suggest that, the injured suffered grievous hurt.

3. Petitioner no.1 is a lady.
4. Considering the nature of the incident and the involvement of the petitioners therein as also the past relationship between the private parties, we deem it appropriate to grant anticipatory bail to the petitioners.
5. Accordingly, we direct that in the event of arrest the petitioners will be released on bail upon furnishing a bond of Rs.10,000/- 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 [corresponding to Code of Criminal Procedure, 438(2)] and petitioner no.1, namely, Maitri Dutta @ Maitri Datta will cooperate with the investigation till the conclusion of investigation and petitioner no.2, namely, Kaushik Dutta (Laltu) @ Kaushik Dutta will report before the Investigating Officer once in a month till the conclusion of investigation and on further condition that 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.

6. This application for anticipatory bail, is thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)