

11.12.2024
Sl. No.33
akd
[PARTLY
ALLOWED]

C. R. M. (A) 4272 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 25.11.2024 in connection with Mallarpur Police Station Case No. 200 of 2024 dated 13.08.2024 under Sections 126(2)/115(2)/117(2)/109(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.1525 of 2024)

And

In Re: **Keshab Mondal & Ors.**

... .. Petitioners

Mr. Indranil Chandra
Ms. Nandita Baksi

... .. for the petitioners

Mr. S. S. Imam
Mr. Raju Mondal

... .. for the State

1. Heard learned Advocates for both the parties.
2. We have considered the materials on record. It is contended there was a land dispute between the *Bargadar* and *Raiyat* of the land. FIR was lodged belatedly. In the FIR it is alleged petitioner no.1 assaulted Sahadeb with an iron rod resulting in fracture injury. Petitioner nos.2 and 3 had also participated in the assault. However, injuries caused by them are not grievous. Keeping in mind the aforesaid facts, we are not inclined to grant anticipatory bail to petitioner no.1.
3. Accordingly, the prayer for anticipatory bail of the petitioner no.1 namely, **(1) Keshab Mondal** is rejected.
4. However, in view of the extent of complicity of petitioner nos.2 and 3 in the alleged crime, we are inclined to grant anticipatory bail to petitioner nos.2 and 3.
5. Accordingly, we direct in the event of arrest, the petitioner nos. 2 and 3 namely **(2) Phatik Mondal & (3) Sidhartha Mondal**, be released

on bail upon furnishing 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner nos. 2 and 3 shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)