

25
23.02.2024
ssi
Ct. 238

WPA 28243 of 2023

Bimal Das @ Tinku & Ors.

-vs-

The State of W.B. & ors.

Mr. Mrityunjoy Chatterjee
Mr. Subham Bhakat
Mr. Manas Das
Mr. Debapriya Majumder
....for the petitioners
Mr. Ashim Kr. Ganguly
Mr. Tarak Karan

...for the State

Let the supplementary affidavit be filed by the petitioners be kept with the record.

The State produces the case diary in terms of the order dated 19.12.2023.

It has been submitted by Mr. Mrityunjoy Chatterjee, learned advocate that with malice, private respondent no.7 and his associates have repeatedly filed false and frivolous complaint before the police against the petitioner. Following such complaints, two cases have been registered by Kharagpur local Police Station. The first FIR was registered on 30.10.2023 under Sections 323, 325, 307, 354B, 506 and 34 of the Indian Penal Code read with Section 3 (I) (r) (s) (w) of the Scheduled Caste and Scheduled Tribes (Prevention of Attrocities) Act. The second FIR was registered on 15.12.2023 under Sections 498A, 323, 307, 354A, 354B, 376D, 506 and 34 of the Indian Penal Code.

Mr. Chatterjee also submits that in connection with the first FIR as indicated above, the Investigating Agency has made a prayer before the relevant Court for issuance of warrant of arrest against them. It has been submitted by the petitioners that they are inclined to surrender before the jurisdictional Court.

Accordingly, I grant liberty upon the petitioners to surrender before the jurisdictional Court within a period of two months from date.

If they surrender, the Court shall consider their bail prayer in accordance with law.

The police shall not take any coercive steps against the petitioners for a period of two months from date.

In connection with the second FIR, it has been submitted by Mr. Chatterjee that his client will seek anticipatory bail. Therefore, no further order is passed in relation to the said FIR.

W.P.A. 28243 of 2023 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Kausik Chanda, J.)