

20.12.2024

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[ALLOWED]

C. R. M. (A) 4534 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chakdaha Police Station Case No. 609 of 2023 dated 02.09.2023 under Sections 448/354D/376/511/506/34 of the Indian Penal Code.

In Re: ***Surojit Barui.***

... .. Petitioner

Ms. Minoti Gomes.

... .. for the petitioner

Mr. Prasun Kr. Dutta, Ld. A.P.P.,

Mr. Tirthankar Dhali.

... .. for the State

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. There was dispute between neighbours. Petitioner had instituted a criminal case earlier. In retaliation, the present case has been registered. Statement of the victim requires to be assessed in light of the aforesaid submission relating to *mala fides* at the appropriate stage of the proceeding.
3. Under such circumstances, we are of the opinion custodial interrogation of the petitioner for progress of investigation is not necessary and he may be granted anticipatory bail.
4. Accordingly, we direct that in the event of arrest, the petitioner 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 BNSS. He 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.)