

J.O No. WB/00615

R. No.4163/2023 CNR No. WBWM01 007877 2023

04 dtd. 19.09.2023

This is an application u/s 438 of Cr.P.C. filed by the petitioners namely, Mahataj Khan and 26 others in C/W Keshpur P.S Case No.280/2023 dated 04.08.2023 u/s.147/148/149/341/325/307/506 of IPC.

Ld. Counsel for the petitioner/petitioners submitted that no bail application has either been filed before any Higher Court or no such bail petition has been rejected.

Ld. Counsel for the petitioners submits that the accused persons have been falsely entangled in this case. There is a counter case. As such the accused persons may be granted anticipatory bail.

Ld. P.P for the State raises no objection against the bail prayer pointing out the nature of accusation and submits there is no medical document in the CD.

It appears from the CD that Section 307 of IPC is the only non-bailable offence involved in this case. There is no medical document in the CD. From Page No.26 of the CD it is apparent that the victim was not treated in the hospital. So, I do not think custodial interrogation of the present accused persons is required in this case. Therefore, prayer for anticipatory bail is allowed.

In the event of arrest the petitioners may find bail of Rs. 3,000/- each with 2 registered sureties of Rs.1,500/- each subject to the satisfaction of the Arresting officer and with usual conditions as laid down u/s 438(2) Cr.P.C.

Misc case is disposed of. CD/LCR, if any, be returned.

Copy of this order be sent to the Arresting Officer and Learned Court below for information.

Dictt. and corrt by me,

S.J.

Sessions Judge,
Paschim Medinipur