

IN THE COURT OF LD. ADDITIONAL CHIEF JUDICIAL MAGISTRATE,
GARHBETA, PASCHIM MEDINIPUR

Present: Sri Vikramjit Sen.

J.O.Code: WB01178.

Goaltore PS 195 of 2024
G.R. Case No.406 of 2024
CIS - 434 of 2024

Order dated 25.10.2024:

Record is taken up on production of arrested accused person, namely, Janmenjoy Patra by Goaltore P.S. Police.

I/O submitted a forwarding report along with memo of arrest, inspection memo, check list and seizure list dated 24.10.2024.

Accused is taken into custody and documents are kept with the case record.

One bail petition along with vokalatnama is filed on behalf of the accused person. Let them be kept with the case record.

Heard the Ld. Advocate appearing for the accused person.

Heard the Ld. APP.

Perused materials on record and the forwarding report of I/O.

Perusal of the written complaint shows that there is a delay of five days in lodging of the FIR. It is also to be seen that the allegation is regarding assault of husband of the complainant by the accused with a lathi. The accused and victim are brothers having property dispute. The victim was hit on his right hand but there is no mention in the written complaint that the victim suffered any serious injury or fracture on his right hand. As such it is difficult for this Court to hold, prima facie, that Section 110 or Section 117(2) of BNS are applicable in this case.

However, it is also to be seen that the accused had refused notice under Section 35(3) of BNSS as can be seen from the forwarding report of the I/O.

Therefore, considering all aspects the bail application of the accused is allowed but in interim conditional form.

Accordingly, the accused may find interim bail of Rs.2000/- with one surety with condition that the accused will meet the I/O once in a week until further order id to J/C.

Call for C/D on 08.11.2024.

Inform the I/O.

GRO to do the needful.

To date (07.01.2025) for appearance and I/O's report in final form.

Sd/-
(VIKRAMJIT SEN)
A.C.J.M. (I/C.)
Garhbeta, Paschim Medinipur.