

25.02.21 In re: An application for anticipatory bail under Section 438 of the
(S.R.) Code of Criminal Procedure filed in connection with **Harishchandrapur**
Sl.37 Police Station Case **No.278 of 2020** dated **25.04.2020** under Sections
Ct.28 **341/326/324/307/34** of the Indian Penal Code (G.R. **No.954 of 2020**);

And

In re: Nojrul Islam @ Najrul Islam & Ors.

... petitioners.

Mr. Kallol Mondal

Mr. M.A. Sk.

Mr. Krishan Ray

Ms. Amrita Chel

Ms. Anamitra Banerjee

... for the petitioners.

Mr. Arijit Ganguly

Mr. Sanjib Kumar Dan

...for the State.

Mr. Mondal, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated. The dispute was between members of the same family pertaining to an ancestral property. The petitioners have also been injured and a complaint to that effect has also been lodged by the wife of the petitioner no.3 herein. In the said conspectus, custodial interrogation of the petitioners is not necessary.

Mr. Ganguly, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the medical report and other documents in the case diary. Let the medical report, as produced, be kept on record.

Having heard the learned advocates and considering the materials in the case diary, the nature of allegations, the injury report and the extent of complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not necessary.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Nojrul Islam @ Najrul Islam, Sofikul Islam @ Shafikul Islam, Rofiqul Islam @ Rafikul Islam @ Rofiqul Alam, Anikul Islam, Monirul islam @ Manirul Islam and Barikul Islam** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under

Section 438(2) of the Code of Criminal Procedure, 1973.

Accordingly, the application for anticipatory bail being CRM No.10659 of 2020, is allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)