

13.06.2022
Sl. No.124
akd
[ALLOWED]

C. R. M. (A) 2579 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 07.06.2022 in connection with Serampore Police Station Case No. 101 of 2022 dated 05.04.2022 under Sections 341/323/325/307/354/34 of the Indian Penal Code. (G.R. Case No.554 of 2022)

And

In Re: ***Md. Nadim @ Md. Nadeem***

... .. Petitioner

Mr. Saikat Mondal

... .. for the petitioner

Mr. Rudradipta Nandy .. Ld. Addl. Public Prosecutor
Ms. Eshita Dutta

... .. for the State

It is submitted on behalf of the petitioner there are case and counter-case between the parties.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Petitioner does not appear to be the principal assailant. Keeping in mind the extent of complicity of the petitioner in the alleged crime and as possibility of false implication due to pre-existing enmity cannot be wholly ruled out, we are of the opinion custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Md. Nadim @ Md. Nadeem***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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

438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)