

**25.09.2023**  
ML. 286  
Court No. 29  
Sourav  
(Allowed)

**C.R.M. (A) 3894 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jalangi** Police Station Case No. **251** of **2016** dated **12.03.2016** under Sections **186/188/289/307/353/34** IPC and under Section **11** of the Prevention of Cruelty to Animals Act and under Sections **25/27** of the Arms Act (corresponding to G.R. Case No. 1075 of 2016 pending before the learned CJM, Berhampore, Murshidabad).

And

In the matter of: **Shajahan Sk. @ Shahajahan Sekh @ Mondal**  
....petitioner.

Mr. Arnab Chatterjee  
Ms. Poulami Bose

...for the petitioner.

Mr. Ranabir Roy Chowdhury  
Mr. Sandip Chakraborty

... for the State.

1. Heard learned Counsel for the parties.
2. Though it is fairly submitted at the Bar that the present petitioner is similarly circumstanced with a co-accused, already enlarged on anticipatory bail vide order dated 13.02.2017 as passed in CRM 469 of 2017 by a co-ordinate Bench of this Court but considering the long abscontion of the present petitioner, learned Counsel for the State submits that the present application for anticipatory bail may be rejected.
3. On perusal of the entire materials as placed before us, we find that investigation is completed and there is no need for further custodial interrogation of the present petitioner.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of offence and completion of investigation, it is directed

that the petitioner shall surrender before the learned Chief Judicial Magistrate, Berhampore, Murshidabad in G.R. Case No. 1075 of 2016 arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail, petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 3894 of 2023** is disposed of.
7. Learned Chief Judicial Magistrate, Berhampore, Murshidabad is hereby directed to act upon the server copy of this order, if required.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**

