

02.04.2024

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S.D./A.D.

Allowed

C.R.M. (A) No. 1064 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Serampore Police Station Case No. 155 of 2024 dated 14.03.2024 under Sections 341/325/307/504/506/34 of the Indian Penal Code pending before the learned Additional Chief Judicial Magistrate, Serampore.

And

In Re : Md. Aftab Alam petitioner

Mr. Pawan Kumar Gupta

Ms. Sofia Nesar

Mr. Santanu Sett

Mr. Abhijit Bose

.....for the petitioner

Mr. Madhusudan Sur, A.P.P.,

Mr. M.F.A. Begg

....for the State

1. Petitioner submits he had lodged criminal case against the defacto-complainant with regard to illegal sale of Government land. In retaliation, he has been falsely implicated. He prays for anticipatory bail.
2. Learned Lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. We have also examined the injury report. There was prior enmity between the parties. Whether the injures are life threatening may be assessed during trial.
4. Under such circumstances, we are of the opinion custodial interrogation for progress of investigation is not

necessary and petitioner may be granted anticipatory bail.

5. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that he shall appear before the Jurisdictional Court below and pray for regular bail within a period of four weeks from date.
6. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)