

08.04.2024
Item No.63
AD/SD
Court No.28
(Allowed)

C.R.M. (A) No. 1103 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **88 of 2024** dated **27.01.2024** under Sections **448/323/326/379/307/506/34** of the Indian Penal Code, 1860 pending before the Court of Learned Chief Judicial Magistrate, Malda. (G.R. Case No.520 of 2024)

And

In Re : Bablu Mia & Anr.

..... petitioners

Mr. Mrityunjoy Chatterjee

Mr. Debapriya Majumder

Mr. A. Sarkar

.....for the petitioners

Mr. Bibaswan Bhattacharjee

Mr. Arka Chakraborty

....for the State

1. Heard learned lawyers for the parties.
2. We have also considered the materials on record.
3. Whether the injuries are life threatening may be assessed during trial. Allegation of theft of Rs.35,000/- from the house appears to be an embellishment.
4. In view of the aforesaid facts, we are of the opinion custodial interrogation for progress of investigation is not necessary and petitioners may be granted anticipatory bail.
5. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 they shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.

6. The prayer for anticipatory bail of the petitioners is allowed.

7. **C.R.M. (A) No. 1103 of 2024** is disposed of.

(Prasenjit Biswas, J.)

(Joymalya Bagchi, J.)