

08.04.2024

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S.D./A.D.

Allowed

C.R.M. (A) No. 1147 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kushmandi Police Station Case No. 263 of 2022 dated 04.12.2022 under Sections 447/323/325/354/307/34 of the Indian Penal Code, 1860 pending before the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur.

And

In Re : Abdul Haque petitioner

Mr. Mazahar Hossain Chowdhury
.....for the petitioner

Mr. Iqbal Kabir
Mr. Debanshu Ghorai
....for the State

1. Petitioner contends an incident occurred in course of dispute over cultivation.
2. Allegation against him is general and omnibus.
3. Under such circumstances, we are of the opinion custodial interrogation is not necessary and he may be granted anticipatory bail.
4. 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 he shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

(Prasenjit Biswas, J.)

(Joymalya Bagchi, J.)