

26.04.2024
Item No.10
Ct. No. 29
CHC
Partly Allowed

C.R.M.(A) 1468 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanditala** Police Station Case No. **926** of **2023** dated **22.12.2023** under Sections **307/34** of the Indian Penal Code, 1860, pending before the Learned Additional Chief Judicial Magistrate, Seerampore, Hooghly.

And

In the matter of : Md. Adam Safiulla Mal & ors.

..... petitioners

Mr. Amitabha Ghosh,
Ms. Arpita Dhar

....for the petitioners

Mr. Arnab Chatterjee,
Ms. Trisha Rakshit

....for the State

Petitioners pray for anticipatory bail.

Police filed charge-sheet.

It is submitted on behalf of the State that, petitioner no.2, namely, Md. Ibrahim Mal is not named either in the F.I.R or in the charge-sheet.

In such circumstances, C.R.M.(A) 1468 of 2024 is dismissed as not maintainable so far as petitioner no.2, namely, Md. Ibrahim Mal is concerned.

Materials in the Case Diary do not suggest requirement of placing the other petitioners in custody particularly after police filing charge-sheet.

In such circumstances, we grant anticipatory bail to the petitioners namely, petitioner no.1, Md. Adam Safiulla Mal and petitioner no.3, Rabindra Nath Bag.

Accordingly, we direct that in the event of arrest the petitioner no.1, namely, Md. Adam Safiulla Mal and petitioner no.3, namely, Rabindra Nath Bag shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) 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 the petitioner no.1, namely, Md. Adam Safiulla Mal and petitioner no.3, namely, Rabindra Nath Bag shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail in respect of petitioner no.1, namely, Md. Adam Safiulla Mal and petitioner no.3, namely, Rabindra Nath Bag are, thus, allowed.

CRM(A) 1468 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)