

30.4.2024
SL No. 31
Ct No. 29
SB

C.R.M. (A) 1530 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jalangi** P.S. Case No. 428 of 2023 dated 24.12.2023 under Sections 304/34 of the Indian Penal Code.

And

In the matter of: Mosaraf Mondal @ Musharaf Mondal

....Petitioner

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

...for the Petitioner

Mr. Joydeep Biswas
Mr. Santanu Talukdar

...for the State

1. Police filed charge sheet inter alia under Section 304 of the Indian Penal Code, 1860.
2. Petitioner was not named in the F.I.R. although he was named by eye witnesses as person involved in the assault leading to the death.
3. Considering the fact that the police filed charge sheet and the other materials in the case diary, we grant anticipatory bail to the petitioner.
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. The petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

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

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)