

14.05.2024
Court No.08
Item No. 04
Allowed

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CRM (A) 1653 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 920 of 2020 dated 30.11.2020 under Sections 325/326/354/34 of the Indian Penal Code, 1860.

And

In Re: **Shyama Prosad Sardar @ Shyamaprasad Sardar @ Pakhi**
Petitioner

Mr. Anindya Ghosh
Mr. Pronojit Roy

For the Petitioner

Mr. Avishek Sinha
Mr. Abhinaba Mukherjee

For the State

1. Learned counsel for the petitioner submits that he has been falsely implicated in the instant case and he is innocent.
2. Learned counsel for the State in opposing the prayer for anticipatory bail, has submitted that the petitioner is absconding for almost three and half years and also referred to the injury.
3. Considering the materials available in the case diary and the nature of the injury and the fact that the charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.
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 registered sureties of like amount each, one of whom must be local, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal

Procedure, 1973. The petitioner shall meet the Investigating Officer twice in a week till the submission of the final report and shall not leave the territorial jurisdiction, except with the permission of the learned Trial Court till the submission of the final report. The petitioner shall appear before the Chief Judicial Magistrate, Sadar Court, Nadia within two weeks from date and shall appear before the trial court on every date of substantive hearing. In the event of non-compliance of any of the conditions, the bail shall stand automatically cancelled without any further reference to this Court.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. CRM (A) 1653 of 2024 is, thus, disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)