

16.05.2024
SL No.6
Court No.8
(gc)
(Allowed)

CRM (A) 1661 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Kaliganj Police Station Case No.211/2024 dated 07/03/2024 under Sections 447/323/325/326/307/354/354B/506 & 34 of the Indian Penal Code.

And

In the matter of : **Alamin Shaikh & Ors.**

- Petitioners.

Mr. S. Das,
Ms. Atreyee Halder
... For the Petitioners.

Mr. Iqbal Kabir,
Ms. Payel Ghosh
... For the State.

1. The learned Counsel for the petitioners submits that the petitioners have been falsely implicated. There was a past rivalry for which a false complaint made against the petitioners.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the injury report to show that the nature of injury is grievous.
3. It appears that there was a free fight between the parties in which injury has caused to the parties. In fact, it is stated that the petitioners have also suffered injury.

4. Considering the materials available in the case dairy, the injury report and the nature of involvement of the petitioners in the commission of the alleged offence and that it appears to be outcome of a family feuds, we are of the view that the custodial interrogation of the petitioners is not necessary.
5. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Alamin Shaikh**, **Dalim Shaikh** and **Anowar Shaikh**, be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further directed that the present accused petitioners shall meet the Investigating Officer of this case twice in a week and shall not leave the territorial jurisdiction of the learned Trial Court till submission of the final report unless such permission is given by the Trial Court.
6. The application for anticipatory bail 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.)