

20.05.2024  
Item No.29  
Ct. No. 29  
**CHC**  
Allowed

**C.R.M.(A) 1680 of 2024**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jalangi** Police Station Case No. **373** of **2023** dated **10.11.2023** under Sections **341/325/307/302/34** of the Indian Penal Code 1860 subsequently charge sheet has been submitted for commission of offences punishable under Sections 341/325/307/302/34 of the Indian Penal Code, 1860 and under Sections 13/14/14A/14C of the Foreigners Act, pending before the Learned Chief Judicial Magistrate, Berhampore, Murshidabad.  
And

In the matter of : Abdul Hasim Mandal @ Hasim Mondal  
..... petitioner

Mr. Arnab Chatterjee,  
Ms. Poulami Bose  
....for the petitioner

Mr. Sudip Kumar,  
Mr. Arup Sarkar  
....for the State

Petitioner prays for anticipatory bail.

Police filed charge-sheet.

Case Diary contains statement of an eyewitness recorded under Section 164 of the Criminal Procedure Code, where she implicates the petitioner as participant in the incident of assault. Apparently, one person was murdered and two other persons received simple injuries in such incident of assault. The role ascribed so far as the petitioner is concerned, by such eyewitness, is the assault on the two persons who received simple injuries.

Considering the fact that police filed charge-sheet and the role ascribed by the eyewitness, of the petitioner in the incident, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), 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 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1680 of 2024 is disposed of.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**