

24.06.2024
Court No.29
Item No. 11

Allowed

sg

CRM (A) 1849 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 226 of 2024 dated 17.04.2024 under Sections 448/376/506 of the Indian Penal Code, pending before the Court of learned Chief Judicial Magistrate, Berhampore, Murshidabad.

And

In Re: **Sajahan Sk @ Shahjahan Seikh**

Petitioner

Md. Golam Nure Imrohi
Ms. Arundhuti Barai

For the Petitioner

Ms. Anasuya Sinha, APP
Ms. Trina Mitra

For the State

1. Affidavit of service filed in Court today is taken on record.
2. In spite of service, the de-facto complainant is not represented.
3. The learned Counsel for the petitioner submits that petitioner is the brother-in-law of the victim and the petitioner is innocent and has been falsely implicated in the instant case.
4. The learned Counsel for the State opposes the prayer for anticipatory bail and refers to the statement under Section 164 of the Code of Criminal Procedure and also the statement of the neighbours recorded under Section 161 of the Code of Criminal Procedure.
5. Considering the materials available in the case diary, the nature of complaint and the involvement of the petitioner in the commission of alleged offence,

we are of the view that the custodial interrogation of the petitioner is not necessary.

6. Accordingly, we direct that in the event of arrest the petitioner namely, **Sajahan Sk @ Shahjahan Seikh**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner shall meet the I.O. once in a week till the submission of the final report and shall appear before the learned Trial Court within two weeks from date, failing which, it would be open for the learned Trial Court to cancel the bail without any further reference to this Court.
7. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
8. CRM (A) 1849 of 2024 is, thus, disposed of.
9. 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.)