

11.06.2024
SL No.18
Court No.29
(gc)
(Allowed)

CRM (A) 1859 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Paikar Police Station Case No.140 of 2024 dated 27.04.2024 under Sections 341/323/325/308/506/34 of the Indian Penal Code.

And

In the matter of : **Latiful Sekh @ Latiful Khabir & Ors.**

- Petitioners.

Md. Kutubuddin

....For the Petitioners.

Mr. Bitasok Banerjee,

Mr. Dipankar Paramanick

... For the State.

1. The learned Counsel for the petitioners submits that the petitioners have been falsely implicated. There has been a boundary dispute between the petitioners and the de facto complainant and allegation and counter-allegation have been made against each other. The complaint is the outcome of such dispute between the neighbours.
2. It is submitted that the petitioners have filed a complaint against the de facto complainant and only thereafter this complaint has been filed.
3. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the injured and the medical examination reports.
4. Considering the materials available in the case diary, the nature of injury and the extent and complicity of the petitioners in the

commission of the alleged offence, 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, **Latiful Sekh @ Latiful Khabir, Mursed Sekh @ Murshed Alam, Hasibul Sekh @ Hasibur Rahaman, Babu Sekh @ Khorsed Alam, Asmile Sekh @ Md. Ismail and Fajal Sekh @ Abul Fayajal** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, 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 once in a week or as and when directed till submission of the final report and also with a further condition that the present accused petitioners shall appear before the learned Trial Court within a fortnight from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)