

19.06.2024
Court No.29
Item No. 9

Allowed

sg

CRM (A) 1903 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Amherst Street Police Station Case No. 65 of 2024 dated 04.05.2024 under Sections 324/34 of the Indian Penal Code, pending before the learned Additional Chief Metropolitan Magistrate-II at Calcutta.

And

In Re: **Sk. Suleman**

Petitioner

Mr. Manas Kumar Das

For the Petitioner

Mr. Rana Mukherjee
Mr. Tirupati Mukherjee

For the State

1. The de-facto complainant is not represented. We have heard the learned Counsel for the parties.
2. The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case.
3. The learned Counsel for the State, however, opposes the prayer for anticipatory bail.
4. Considering the materials available in the case diary, the nature of involvement of the petitioner in the commission of alleged crime and the nature of injury, we are of the view that custodial interrogation of the present petitioner is not necessary.
5. Accordingly, we direct that in the event of arrest the petitioner namely, **Sk. Suleman**, 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. as and when required till the submission of the final report. The petitioner shall appear before the learned Additional Chief Metropolitan Magistrate-II at Calcutta within two weeks from date and the petitioner shall not leave the jurisdiction of Kolkata without the expressed leave of the learned Trial Court till the submission of final report, failing which, it would be open for the learned Trial Court to cancel the bail without any further reference to this Court.

6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
7. CRM (A) 1903 of 2024 is, thus, disposed of.
8. 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.)