

**13.06.2024**

Court No.29

Item No. 19

**Allowed**

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## **CRM (A) 1949 of 2024**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Nabagram Police Station Case No. 46 of 2024 dated 26.01.2024 corresponding to G.R Case No. 313 of 2024 under Sections 448/323/325/354/307/34 of the Indian Penal Code.

And

In Re: **Manirul Sk. & Ors..**

Petitioners

Md. Abdur Rakib

Mr. Biswajit Sarkar

For the Petitioners

Mr. Bibaswan Bhattacharya

Ms. Dhanasree Biswas

For the State

1. Learned counsel for the petitioners submits that due to land dispute between the neighbours the petitioners have been falsely implicated.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the injury report. Apparently, there is a land dispute between the parties and the injury may be the outcome of a free fight between the parties.
3. Considering the materials available in the case diary and the nature and complicity of the petitioners in the alleged offence and the fact that charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners namely, **Manirul Sk., Belal Sk. @ Belal Shaikh, Johir Sk. @ Jahiruddin Sk. and Lalu Sk. @ Nakimuddin Sk.** shall be released on bail upon furnishing a bond of Rs.5,000/-each , with two sureties of like amount

each, one of whom must be local, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, at Lalbagh, Murshidabad within two weeks from date. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
6. 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)**