

24.06.2024
SL No.29
Court No.29
(gc)
(Allowed)

CRM (A) 1951 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Kulti Police Station Case No.135 of 2024 dated 27.03.2024 under Sections 341/323/379/506/34 of the Indian Penal Code.

And

In the matter of : **Md Shamim @ Golden**
@ Md Shamim Akhtar

- Petitioner.

Md. Nauroz Rahber,
Mr. Amit Ranjan Pati,
Mr. Muhammod Jawad
....For the Petitioner.

Mr. Sanjay Bardhan,
Mr. Kaustav Banerjee
... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in a land dispute with the de facto complainant.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the case diary that the nephew of the petitioner has been arrested on 8th April, 2024.
3. Considering the materials available in the case diary, the nature of the dispute and the involvement of the petitioner in the commission of the alleged offence and the fact that the charge-sheet has already been filed, we are of the view that the custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Md Shamim @ Golden @ Md Shamim Akhtar**, 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 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 petitioner shall appear before the learned Chief Judicial Magistrate, Asansol in connection with Kulti Police Station Case No.135 of 2024 and pray for regular bail within two weeks from date.
5. Accordingly, the application for anticipatory bail is disposed of.
6. 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.)