

24.06.2024
Court No.29
Item No. 35

Allowed

sg

CRM (A) 1957 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bharatpur Police Station Case No. 245 of 2023 dated 09.07.2023 under Sections 341/323/427/286/307/34 of the Indian Penal Code and section 9(b) of I.E. Act, pending before the Court of learned Additional Chief Judicial Magistrate at Kandi, Murshidabad.

And

In Re: **Ansar Sk @ Amsar Sekh**

Petitioner

Mr. Kallol Kumar Basu
Md. Jannat ul Firdous

For the Petitioner

Mr. Arindom Sen
Mr. Tirthankar Dhali

For the State

1. The learned Counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the instant case.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the case diary and the statement of the injured recorded under Sections 164 and 161 of the Code of Criminal Procedure.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of alleged offence and having regard to the fact that charge sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest the petitioner namely, **Ansar Sk @ Amsar Sekh**, 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 learned Additional Chief Judicial Magistrate, Kandi, Murshidabad and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner shall appear before the learned Trial Court within two weeks from date and thereafter shall appear on each and every date before the learned Trial Court.

5. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail without further reference to this court.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
7. CRM (A) 1957 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.)