

27.06.2024
SL No.10
Court No.29
TN
(Allowed)

CRM (A) 1982 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Krishnagar-Kotwali Police Station Case No.234 of 2024 dated 12.03.2024 under Sections 380 & 436 of the Indian Penal Code.

And

In the matter of : **Shyamal Ghosh.**

- petitioner.

Mr. Sumanta Das

....for the petitioner.

Mr. Anindya Sundar Chatterjee

... for the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and due to a dispute between the neighbour, he has been falsely implicated.
2. The learned Counsel for the State in opposing the prayer has referred to the complaint and the statement of the neighbours to the effect that the petitioner was found loitering in front of the house of the *de facto* complainant with a jar. Subsequently his house was set on fire.
3. Considering the materials available in the case diary, the nature and extent of involvement of the petitioner in the commission of the 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, **Shyamal Ghosh** 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 present accused petitioner shall appear before the learned Chief Judicial Magistrate at Krishnagar at Nadia vide G.R. No. 1425 of 2024 within two weeks from date and pray for regular bail.

5. It is further directed that the petitioner shall appear each and every date of hearing before the jurisdictional court on and from the date fixed for appearance of the accused and in default, the jurisdictional court shall pass appropriate order to secure presence of the petitioner in court including cancelling the anticipatory bail granted without further reference to this court.
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.)