

09.07.2024
SL No.07
Court No.29
TN
(Allowed)

CRM (A) 2008 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Murarai Police Station Case No.71 of 2024 dated 14.04.2024 under Sections 341/325/307/34 IPC.

And

In the matter of : **Jamir Khan and others.**

- petitioners.

Mr. Sujoy Sarkar,
Mr. Uttam Kumar De,
Ms. Sneha Srivastava

.... for the petitioners.

Mr. Arnab Chatterjee,
Ms. Rafat Jahan

... for the State.

1. The learned Counsel for the petitioners submits that they have been victimised due to previous enmity and have been falsely implicated.
2. The learned Counsel for the State has produced the medical report and the statement of the victim. It is submitted that the statement of the injured could not be placed earlier as the injured is absconding in relation to another police complaint.
3. Considering the materials available in the case diary, the nature of injury and involvement of the petitioners in the commission of the alleged offence, 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, **Jamir Khan, Alauddin Khan, Tuhin Khan @ Tuhim Khan, Emajuddin Khan @ Emazuddin Khan and Jahir Khan @ Zahir Khan** shall be released on bail upon

furnishing a bond of Rs.10,000/- each, 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. The petitioners shall meet the Investigating Officer of this case once in a week or as and when required till submission of the final report and shall not leave the jurisdiction of Murarai Police Station without the permission of the Investigating Officer till the submission of the final report.

5. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum within two weeks from date and pray for regular bail.
6. The personal appearance of the Investigating Officer is dispensed with.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)