

02.07.2024

Court No.29

Item No. 32

Allowed

ar

CRM (A) 2034 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Beldanga Police Station Case No. 753 of 2023 dated 08.10.2023 corresponding to G.R. Case No. 4801 of 2023 under Sections 341/326/307/506/34 of the Indian Penal Code.

And

In Re: **Md Ansar Sk @ Anchhar Sk**

Petitioner

Mr. Sujoy Sarkar

Mr. Binay Shaw

Mr. Sneha Srivastava

For the Petitioner

Mr. Sudip Kumar

Ms. Trisha Rakshit

For the State

Mr. Arnab Chatterjee

Ms. Anisur Rahaman

For the De-facto Complainant

1. Learned counsel for the petitioner submits that the dispute between the parties is civil in nature and the dispute has been amicably settled out of the Court.
2. Learned counsel for the de-facto complainant agrees with the submission made on behalf of the petitioner and also has submitted that the settlement is arrived at between the parties and the proceeding may be dropped.
3. Learned counsel for the State has submitted that the injury is grievous in nature.
4. Considering the materials available in the case diary and the fact that the parties have amicably settled their dispute and charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Md Ansar Sk @ Anchhar Sk** shall be released on bail upon furnishing a bond of Rs.10,000/- with two registered sureties of like amount each, 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 petitioner shall appear before the learned Chief Judicial Magistrate, Murshidabad corresponding to G.R Case No. 4801 of 2023 within two weeks from date and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. 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.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
7. 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)

