

18.07.2024
SL No.21
Court No.29
(SSS)
(Partly Allowed)

CRM (A) 2098 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Nakashipara Police Station Case No.382 of 2024 dated 19.04.2024 under Sections 323/325/326/307/302/34 of the Indian Penal Code.

And

In the matter of : **Nabidul Hasan Sk and Ors.**

- Petitioners.

Ms. Minoti Gomes,
Mr. Debraj Shil

....For the Petitioners.

Mr. Suman De,
Mr. Soham De Dhara

... For the State.

1. Heard learned Counsel for the parties.
2. Considering the materials available in the case diary and the statement of the injured, it directly implicates the petitioner save and except the petitioner no. 3 and also in relation to the fact that the injuries are grievous in nature and had resulted in the death of Abdul Sattar Mallick, we are of the view that the custodial interrogation of the petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioner no. 3, Sabir Sk shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, 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 no. 3 shall meet the Investigating Officer once in a week till the submission of the final report and the petitioner no.3 shall not leave the jurisdiction of Police Station Nakashipara without the leave of the Investigating Officer. So far as the petitioner Nos. 1, 2 and 4 are concerned, we are not inclined to grant anticipatory bail to the petitioner Nos. 1, 2 and 4.

4. It is further directed that the petitioner no.3 shall appear before the learned Chief Judicial Magistrate, Nadia at Krishnagar in connection with G.R. Case No.2197 of 2024 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.)