

03.07.2024
SL No.21
Court No.29
(gc)
(Allowed)

CRM (A) 2072 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Ranitala Police Station Case No.62 of 2024 dated 14.02.2024 under Sections 341/326/307/120B/34 of the Indian Penal Code.

And

In the matter of : **Sakimuddin Sk. & Anr.**

- Petitioners.

Mr. Debapriya Samanta
....For the Petitioners.

Ms. Zareen Khan,
Ms. Suchismita Dutta
... For the State.

1. The learned Counsel for the petitioners submits that due to dispute over distribution of waterline in the cultivating land, the petitioners have been falsely implicated. It is further submitted that the principal accused, Rimal Sk @ Riman Sk has been recently enlarged on bail by the learned Additional Sessions Judge, Lalbagh, Murshidabad (In-charge) dated 6th April, 2024.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the injury report and the statement of the injured directly implicating the petitioners along with Rimal Sk @ Riman Sk.
3. Considering the materials available in the case diary and having regard to the nature of the dispute and the fact that the principal accused has been released on regular bail, we are of

the view that the custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Sakimuddin Sk.** and **Resma Bibi @ Resmi Bibi**, 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. It is further directed that the petitioner no.1 shall meet the Investigating Officer once in a week and the petitioner no.2 shall cooperate with the investigation and they shall not leave the jurisdiction of the Ranitala Police Station till the submission of the final report. It is further directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad in connection with G.R. Case No.520 of 2024 and pray for regular bail 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.)