

04.07.2024
Court No.29
Item No. 57

Allowed

sg

CRM (A) 2136 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chanchal Police Station Case No. 515 of 2024 dated 24.05.2024 under Sections 341/326/307/379/34 of the Indian Penal Code, pending before the Court of learned Chief Judicial Magistrate, Malda.

And

In Re: **Sultan & Ors.**

Petitioners

Mr. Rhiddhiman Mukherjee
Mr. ARkaprabho Roy

For the Petitioner

Mr. Ranabir Roy Choudhury
Mr. Subham Bhakat

For the State

1. The learned Counsel for the petitioners submits that the petitioners are innocent and due to political rivalry, a false case has been instituted against the petitioner. It is submitted that no specific overt act has been attributed against the petitioner nos. 2, 3, 4, 5 and 6 in the FIR.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the medico legal report and the statement of the injured. It is further submitted that the petitioner nos. 1 and 2 have criminal antecedent.
3. Considering the material available in the case diary, the statement of the victim and the nature and extent of complicity of the petitioners in the commission of alleged offence, we are of the view that custodial interrogation of the present petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest the petitioners namely, **Sultan, Samad Ali, Sahajan Ali, Mustak Alam, Mehefuj Alam, Safikul Islam**, 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 Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and the petitioners shall meet the I.O. once in a week. The petitioners shall not enter the jurisdiction of the Police Station Chanchal except for the purpose of meeting the I.O. The petitioners shall not leave the jurisdiction of the police station where the petitioner shall be residing without the permission of the Officer-in-Charge of the concerned police station except for the purpose of attending the Court. The present address where the petitioners shall be residing should be furnished to the Investigating Officer as well as the Officer-in-Charge of both the Police Stations and the petitioners shall appear before the learned Court of learned Additional Chief Judicial Magistrate, Malda in connection with G.R. Case No. 1401 of 2024 within two weeks from date.
5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
6. CRM (A) 2136 of 2024 is, thus, 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.)