

05.07.2024

Court No.29

Item No. 44

Allowed

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CRM (A) 2166 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Suti Police Station Case No. 147 of 2024 dated 29.02.2024 corresponding to G.R Case No. 590 of 2024 under Sections 448/341/325/307 of the Indian Penal Code.

And

In Re: **Hajrat Sk @ Hazrat Ali**

Petitioner

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

For the Petitioner

Ms. Rajashree Tah

For the State

1. Learned counsel for the petitioner submits that due to previous land dispute between the petitioner and the de-facto complainant a false complainant has been lodged.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the injury report and the statement of the relative of the de-facto complainant.
3. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence and considering the injury report, which does not show any visible external injury, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner namely, **Hajrat Sk @ Hazrat Ali** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must

be local, 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. The petitioner shall meet the Investigating Officer once in a week or as and when called for till the submission of the final report and on further condition that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad within two weeks from date in connection with G.R Case No. 590 of 2024. 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.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
6. 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)