

09.07.2024
SI No. 19
Court No.29
TN
(Allowed)

CRM (A) 2232 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Hariharpara Police Station Case No.379 of 2023 dated 02.09.2023 under Sections 341/323/325/308/506/34 of the Indian Penal Code and charge sheet submitted under Sections 341/323/326/308/506/34 IPC.

And

In the matter of: **Saju Sk. @ Sajahan Sk.**

- petitioner.

Mr. Manas Kumar Das,
Mr. Mobaidur Hossain,
Mr. Aritra Kumar Thokdar

.... for the petitioner.

Mr. Adil Badar,
Mr. Amanul Islam

... for the State.

1. The learned counsel for the petitioner submits that the petitioner has been falsely implicated due to political rivalry.
2. The learned counsel for the State has produced the case diary and submits that co-accused persons have been enlarged on bail.
3. Considering the materials available in the case diary and the nature and extent of involvement of the petitioner in the commission of the alleged offence and having regard to the fact that the injured has specifically made allegation against Mezu Sk. and Saim Sk who are presently on bail and having regard to the fact that charge sheet has already been filed, 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, **Saju Sk. @ Sajahan Sk** 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, 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.
5. It is further directed that the present accused petitioner shall appear before the learned Chief Judicial Magistrate, Murshidabad, Berhampore within two weeks from date and pray for regular bail.
6. Accordingly, the application for anticipatory bail is disposed of.
7. 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.)