

05.08.2024
SL No.7
Court No.29
(gc)
(Allowed)

CRM (A) 2275 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Bodra Police Station Case No.01 of 2024 dated 12.01.2024 under Sections 448/354/326/307/34/379 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In the matter of : **Sahidul Kayal @ Sahid Kayal & Ors.**

- Petitioners.

Mr. Uday Sankar Chattopadhyay,

Ms. Rajashree Tah

....For the Petitioners.

Mr. Bibaswar Bhattacharya

....For the Victim.

Mr. Saibal Bapuli,

Ms. Poulami Bose

... For the State.

1. On the basis of our direction, the statement of the injured persons have been recorded and placed before us.
2. Considering the materials available in the case diary and the statement of the victims recorded under Section 164 of the Cr.P.C. and the nature and extent of complicity of the petitioners as transpired from the case diary as well as having regard to the fact that no specific overt act has been alleged against the petitioners with regard to the alleged assault and also having regard to the nature of injury, we are of the view that custodial interrogation of the petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Sahidul Kayal @ Sahid Kayal, Moslem Molla, Sariful Islam Molla @ Sariful Molla** and **Mafizul Molla**, 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 with further direction that the petitioners shall meet the Investigating Officer once in a week till the submission of the final report.

4. It is further directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Baruipur, South 24 Parganas in connection with G.R. Case No.279 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.)