

09.07.2024
SL No.40
Court No.29
(gc)
(Allowed)

CRM (A) 2253 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Bhadreswar Police Station Case No.248 of 2024 dated 12.06.2024 under Sections 341/326/307/379/34 of the Indian Penal Code.

And

In the matter of : **Md. Anamul Haque Ansari @ Enamul Hoque**

- Petitioner.

Mr. Bitasok Banerjee,
Mr. Abdus Salam

....For the Petitioner.

Ms. Baisali Basu,
Ms. Manisha Sharma

... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated.
2. The learned Counsel for the State opposes the prayer for anticipatory bail.
3. Considering the materials available in the case diary, the nature of injury and, *prima facie*, it appears that the petitioner has suffered a previous injury by reason of the assault made by Md. Amirullah, who is presently in custody, we are of the view that the custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Md. Anamul Haque Ansari @ Enamul Hoque**, 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. It is further directed that the petitioner shall stay out of the jurisdiction of the Bhadreswar Police Station except for the purpose of meeting the Investigating Officer once in a week till the submission of the final report.

5. It is further directed that the petitioner shall provide the address where he shall be residing with the Investigating Officer as well as the Officer-in-Charge of the local Police Station where he shall be presently residing.
6. It is also directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Chandannagar, Hooghly in connection with G.R. Case No.1050 of 2024 within two weeks from date.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)