

09.07.2024
Court No.29
Item No. 49

Allowed

sg

CRM (A) 2262 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chapra Police Station Case No. 346 of 2024 dated 10.04.2024 under Sections 341/326/307/506/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Krishnanagar at Nadia.

And

In Re: **Selim Mondal**

Petitioner

Mr. Sumanta Das

For the Petitioner

Mr. Md. Hafiz Ali

Mr. Arup Sarkar

For the State

1. The learned Counsel for the petitioner submits that due to a property dispute, a false case has been lodged against the petitioner.
2. The learned Counsel for the State opposes the prayer for the anticipatory bail and produces the case diary. It is submitted that charge sheet has already been filed.
3. Considering the materials available in the case diary wherefrom it transpires the immediate cause of grievous hurt was an assault by one Tanjir Mallick and also taking into consideration the extent of complicity of the petitioner in the commission of the alleged offence and having regard to the fact that charge sheet has already been filed, we are of the view that custodial interrogation of the present petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest the petitioner namely, **Selim Mondal**, 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 learned Chief Judicial Magistrate, Krishnanagar at Nadia, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to further condition that the petitioner shall appear before the trial court on each and every date of hearing until further orders.

5. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
7. CRM (A) 2262 of 2024 is, thus, disposed of.
8. 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.)