

09.07.2024
SL No.57
Court No.29
TN
(Allowed)

CRM (A) 2270 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Nakshipara Police Station Case No. 1061 of 2023 dated 18.12.2023 under Sections 364(A) & 34 of the Indian Penal Code.

And

In the matter of : **Sujoy Saha and others.**

- petitioners.

Mr. Sumanta Das

....for the petitioners.

Mr. Antarikhya Basu,
Mr. Aslam Parvez

... for the State.

1. The learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated.
2. The learned Counsel for the State has produced the case diary and submits that Subrata Biswas is presently in custody.
3. Considering the materials available in the case diary, the nature and extent of involvement of the petitioners in the commission of the alleged offence and having regard to the fact that the principal accused is in custody and charge sheet has already been filed, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Sujoy Saha, Sukanta Halder @ Bhodol @ Samrat, Prohlad @ Prolad Halder and Nimai Chandra Halder @ Raju** 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.

5. It is further directed that the present accused petitioners shall appear before the learned Chief Judicial Magistrate, Krishnagar at Nadia within two weeks from date and pray for regular bail.
6. It is further directed that the petitioners shall appear each and every date of hearing before the trial court on and from the date fixed for appearance of the accused and in default the trial court will pass appropriate order to secure presence of the petitioners in court including cancelling the anticipatory bail granted without further reference to this court.
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.)