

10.07.2024
SL No.33
Court No.29
(gc)
(Allowed)

CRM (A) 2302 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Balagarh Police Station Case No.196 of 2024 dated 25.04.2023 under Sections 448/323/324/325/307/34 of the Indian Penal Code.

And

In the matter of : **Sk. Babur Ali & Ors.**

- Petitioners.

Mr. Palash Bapari

....For the Petitioners.

Mr. Sujan Chatterjee

... For the State.

1. There is a free fight between the neighbours which has resulted in injury suffered by both the sides. In fact, the present petitioners have lodged an FIR prior in point of time and the investigation is in progress.
2. The learned Counsel for the State has produced the case diary.
3. Considering the materials available in the case diary and the nature and involvement of the petitioners in the commission of alleged offence, the nature of injury and also having regard to the fact that one of the co-accused was enlarged on bail, we are of the view that the custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Sk. Babur Ali, Sk. Nagbul, Sk. Hasibul, Samia Khatun, Rupa Bibi, Rokiya Bibi, Rupsha Khatun** and **Sayla Bibi**, 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. It is further directed that the petitioner nos.1, 2 & 3 shall meet the Investigating Officer once in a week till the submission of the final report and the petitioners shall not leave the jurisdiction of the Police Station Balagarh without the leave of the Investigating Officer.

5. It is further directed that the petitioners shall appear before the learned Chief Judicial Magistrate, Hooghly in connection with G.R. Case No.1345 of 2024 within two weeks from date.
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.)