

11.07.2024
Court No.29
Item No. 43

Partly Allowed

sg

CRM (A) 2343 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Keshpur Police Station Case No. 130 of 2024 dated 30.03.2024 under Sections 341/323/324/325/307/379/506/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Paschim Midnapore.

And

In Re: **Sk. Kalo @ Sk. Abdul Ahed @ Sekh & Ors.**
Petitioners

Mr. Navanil De
Mr. Srinjan Ghosh

For the Petitioners

Mr. Arni Bhattaharyya

For the State

Mr. Sakya Maity

For the defacto complainant

1. The learned Counsel for the petitioners submits that due to ongoing rivalry between the complainant and the petitioners and out of grudge against the petitioners and his sons, a false complaint has been lodged by the de-facto complainant.
2. The learned Counsel for the State has produced the case diary and opposed the prayer for anticipatory bail.
3. The learned Counsel for the de-facto complainant has also opposed the prayer for anticipatory bail.
4. Considering the materials available in the case diary, the statement of the injured recorded under Section 161 of the Code of Criminal Procedure and the nature of injury sustained by the de-facto complainant, which appears to

be grievous in nature, we are not inclined to grant anticipatory bail to the petitioner nos. 1 and 2. However, considering the involvement of the petitioner nos. 3 and 4 in the commission of the alleged offence, we are of the view that the custodial interrogation of the petitioner nos. 3 and 4 is not necessary.

5. Accordingly, we direct that in the event of arrest the petitioner nos. 3 and 4 namely, **Sk. Rabi @ Sk. Abdul Sattar and Majeda Bibi @ Mejeda 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 Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and the petitioner nos. 3 and 4 shall meet the I.O. once in a week till the submission of final report. The petitioner nos. 3 and 4 shall appear before the learned Chief Judicial Magistrate, Paschim Midnapore, in connection with G.R. Case No. 847 of 2024 within two weeks from date.
6. Accordingly, the prayer for anticipatory bail of the petitioner nos. 3 and 4 is allowed. The application for anticipatory bail of the petitioner nos. 1 and 2 is rejected.
7. CRM (A) 2343 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.)

(Sugato Majumdar, J.)