

15.07.2024
Court No.29
Item No. 50

Allowed

sg

CRM (A) 2399 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with English Bazar Police Station Case No. 985 of 2023 dated 23.06.2023 under Sections 379/34 of the Indian Penal Code and added sections 411/413/414/120B/201 IPC, pending before the learned Chief Judicial Magistrate, Malda.

And

In Re: **Mithun Mandal**

Petitioner

Mr. Kazi Mokhlasur Rahman

For the Petitioner

Mr. Madhusudan Sur, APP
Ms. Sujata Das

For the State

1. In view of recovery of the vehicle and considering the fact that no specific overt act has been attributed to the petitioner, we are of the view that the custodial interrogation of the petitioner is not necessary.
2. Accordingly, we direct that in the event of arrest the petitioner namely, **Mithun Mandal**, 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, Malda and subject to the 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.

3. 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 his bail in accordance with law without any further reference to this Court.
4. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
5. CRM (A) 2399 of 2024 is, thus, disposed of.
6. 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.)