

18.07.2024
SL No.32
Court No.29
(SSS)
(Partly Allowed)

CRM (A) 2411 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Gopalnagar P.S Case No.201 of 2024 dated 30.03.2024 under Sections 448/325/326/307/354/506/509/427 & 34 of the Indian Penal Code.

And

In the matter of : **Ibrahim Mondal and Ors.**

- Petitioners.

Mr. Arnab Chatterjee,
Ms. Poulami Bose

.....For the petitioners.

Mr. B. K. Pandey,
Ms. Chandreyi Dutta

....For the State.

1. Learned Counsel for the petitioners submit that due to previous enmity and free fight between the two neighbours, both parties have been injured and the petitioners have been falsely implicated.
2. Learned Counsel for the State has produced the case diary and referred to the statement of the injured and the injury report.
3. Considering the materials available in the case diary, the statement of the injured in which they have directly implicated Petitioner Nos. 2 and 5 and the allegations against others are omnibus in nature and having regard to the injury sustained by the de facto complainant, we are of the view that the petitioner

No. 2, namely, **Ajmat Mondal**, petitioner No. 5 namely, **Ahad Mondal @ Ahed Ali Mondal**, petitioner No. 7, namely **Amena Bibi @ Amena Khatun** are not entitled to any relief. The application in so far as petitioner Nos. 2, namely, **Ajmat Mondal** and 5, namely, **Ahad Mondal @ Ahed Ali Mondal** are concerned, stands rejected. However, the prayer for anticipatory bail of petitioner No. 1 namely, **Ibrahim Mondal**, petitioner No. 3 namely **Lokman Mondal @ Lukman Mandal**, petitioner No. 4 namely **Sagora Khatun @ Sagra Bibi** and petitioner No. 6, **Rajjak Mondal** are allowed.

4. Accordingly, we direct that in the event of arrest, the petitioner Nos. 1, 3, 4 and 6 namely, **Ibrahim Mondal, Lokman Mondal @ Lukman Mandal, Sagora Khatun @ Sagra Bibi** and **Rajjak Mondal** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount of which one 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 and shall meet the Investigating Officer once in a week till the submission of the final report and shall not leave the jurisdiction of Police Station Gopalnagar without the leave of the Investigating Officer.
5. It is further directed that the petitioner No. 1, 3, 4 and 6 namely, **Ibrahim Mondal, Lokman Mondal @ Lukman Mandal, Sagora Khatun @ Sagra Bibi** and **Rajjak Mondal** shall appear before

the learned Additional Chief Judicial Magistrate, Bongaon, North 24 Parganas in connection with G.R. Case No.1528 of 2024 within two weeks from date.

6. It is further directed that the petitioner no. 2, namely, **Ajmat Mondal** and 5, namely, **Ahad Mondal @ Ahed Ali Mondal** shall cooperate with the investigation.
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.)