

22.07.2024
SL No.18
Court No.29
(gc)
(Allowed)

CRM (A) 2423 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Malda Police Station Case No.299 of 2024 dated 15.05.2024 under Sections 326/307/379/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In the matter of : **Sk. Nasim**

- Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick,
Md. Sontu Mia,
Ms. Alisha Parvin,
Ms. Masuma Khatun

....For the Petitioner.

Mr. Pravash Bhattacharya,
Ms. Rafat Jahan

... For the State.

1. The learned Counsel for the petitioner submits that there was a hot altercation between the two groups and the injury caused to the victim during such altercation was unintentional.
2. The learned Counsel for the State has produced the case diary.
3. Considering the materials available in the case diary and the nature of injury, we are of the view that the custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sk. Nasim**, 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 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 shall meet the Investigating Officer once in a week till the submission of the final report and shall appear before the learned Chief Judicial Magistrate, Malda in connection with G.R. Case No.3188 of 2024 within two weeks from date.

5. Accordingly, the application for anticipatory bail is disposed of.

6. 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.)