

07.08.2024

Court No.29

Item No. 23

Allowed

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CRM (A) 2441 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Itahar Police Station Case No. 138 of 2024 dated 20.03.2024 corresponding to G.R Case No. 603 of 2024 under Sections 448/324/326/307/506/34 of the Indian Penal Code.

And

In Re: Reshamul Haque & Ors.

Petitioners

Mr. Jisan Iqbal Hossain

For the Petitioners

Mr. Suman De

Mr. Sayan Dev Kumar

For the State

Mr. Parvej Anam

For the De-facto Complainant

1. Heard the learned counsel appearing for the parties.
2. The record reveals that a free fight between two groups of neighbours, as a result some injury was caused to the de-facto complainant and few others. From the injury report it does not appear that the victims have suffered any injury on the vital parts.
3. Considering the aforesaid facts and the nature of injury, which appears to be simple, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Reshamul Haque, Farimul Hoque @ Farimul Ali, Tazerul Ali @ Tazer Ali and Jobed Ali @ Javed Ali** 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, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioners shall meet the Investigating Officer once in a week till the submission of the final report and on further condition that the petitioners shall appear before the learned Chief Judicial Magistrate, Raiganj, Uttar Dinajpur, within two weeks from date in connection with G.R Case No. 603 of 2024. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly 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)