

24.7.2024
SL No.33
Ct No. 29
SB

CRM (A) 2464 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Goghat Police Station Case No. 178 of 2024 dated 13.4.2024 under Sections 341/323/324/325/427/504/506/34 of Indian Penal Code.

And

SK. Najibul Haque @ Najibul Haque & Ors.

Vs.

The State of West Bengal

Mr. Niladri Sekhar Ghosh

Ms. Sompurna Chatterjee ... for the petitioners.

Mr. Sanjay Bardhan

Rafat Jahan ... for the State

1. On the prayer of the learned counsel leave may be granted to correct the cause title in respect of the descriptions of the Court.
2. Learned counsel appearing for the petitioners submits that some of the petitioners have been granted anticipatory bail by the learned Sessions Judge, Hooghly. Although, the petitioners stand on the same footing as that of the other co-accused, their prayer for anticipatory bail was rejected. Petitioners submits that due to previous grudge and having regard to the fact that the petitioners belong to a rival political party a false complaint has been lodged against the petitioners.
3. Learned counsel appearing for the State has produced the case diary.
4. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and also we are of the prima facie view that the

petitioners are on the same footing as that of the other co-accused who have been enlarged on anticipatory bail by the learned Trial Judge, we are of the opinion that custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioners namely, Sk. Najibul Haque @ Najibul Haque, Sk. Abdul Hekim @ Paltu @ Sk. Abdul Hekim and Sk. Safiulla Hamja shall be released on bail upon furnishing a bond of Rs.10,000/- 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. The petitioners shall meet the Investigating Officer of the case once in week or as and when required and shall not leave the jurisdiction of the Goghat Police Station without the permission of the Investigating Officer till the submission of the final report.
6. It is further directed that the present petitioners shall appear before the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly in connection with G.R. Case No. 654 of 2024 within two weeks from date and pray for regular bail.
7. In default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court
8. Accordingly, the application for anticipatory bail is disposed of.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Uday Kumar, J.)

(Soumen Sen, J.)