

29.07.2024
SL No.43
Court No.29
(gc)
(Allowed)

CRM (A) 2517 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of BNSS, 2023 filed in connection with Bhutni Police Station Case No.112 of 2024, dated 13.06.2024 under Sections 448/323/325/307/34 of the Indian Penal Code and Sections 25/27 of the Arms Act.

And

In the matter of : **Guddu Mahato @ Ujjal Chowdhury**

- Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kr. Bhowmick

....For the Petitioner.

Ms. Sonali Das,
Mr. Asraf Mandal

... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is a cultivator and he has been falsely implicated.
2. The learned Counsel for the State has opposed the prayer and produced the case diary.
3. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence and the nature of injury which does not appear to be grievous in nature, 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, **Guddu Mahato @ Ujjal Chowdhury**, 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 corresponding to Section 482(2) of the BNSS, 2023. It is further directed that the petitioner shall meet the I.O. once in a week till the submission of the final report and shall not leave the jurisdiction of the Police Station Bhutni except for the purpose of meeting the I.O. and attending the Court.

5. It is further directed that the petitioner shall appear before the learned Chief Judicial Magistrate, Malda in connection with G.R. Case No.4051 of 2024 within two weeks from date.
6. It is further directed that the petitioner shall appear each and every date of hearing before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.
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.)