

29.07.2024

Court No.29

Item No. 65

Allowed

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CRM (A) 2540 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Malda Police Station Case No. 201 of 2024 dated 11.04.2024 corresponding to G.R Case No. 2331 of 2024 under Sections 448/323/325/307/34 of the Indian Penal Code..

And

In Re: **Krishna Mandal**

Petitioner

Mr. Kazi M. Rahaman

For the Petitioner

Mr. Joydeep Biswas

Ms. Debolina Das

For the State

1. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated.
2. Learned counsel for the State has produced the case diary and opposed the prayer for anticipatory bail. We have perused the case diary. It appears that Krishna Mandal, the present petitioner, is in love relationship with one Rimi Roy, the daughter of the de-facto complainant, after the death of her husband. This relationship was opposed by the de-facto complainant, which might have resulted some altercation.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence, the nature of injury and the fact the charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Krishna Mandal** shall be released on bail upon furnishing a bond of

Rs.10,500/-, with two registered sureties of like amount each, 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 and on further condition that the petitioner shall appear before the learned Chief Judicial Magistrate, Malda corresponding to G.R Case No. 2331 of 2024 within two weeks from date and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. 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 petitioner 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)