

30.07.2024
Court No.29
Item No. 96

Allowed

sg

CRM (A) 2555 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Bhadreswar Police Station Case No. 230 of 2024 dated 05.06.2024 under Sections 341/325/379/308/34 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate, Chandannagar.

And

In Re: **Rohit @ Saddam Hussain & Ors.**
Petitioners

Mr. Suman Chakraborty

For the Petitioners

Mr. Arnab Chatterjee

Mr. Subhasish Datta

For the State

1. The learned Counsel for the petitioners submits that due to political rivalry, a false complaint has been lodged against the petitioners.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail, has referred to the FIR, the statement of the injured and the medical report.
3. Considering the materials available in the case diary, the nature and extent of involvement of the petitioners in the commission of alleged offence and that there are apparent discrepancies in the statement in the FIR read with the statement of the victim under section 161 of the Code of Criminal Procedure and also having regard to the fact that the nature of injury as revealed from the injury report which appears to be simple in nature, we are inclined to grant anticipatory bail to the present petitioners.

4. Accordingly, we direct that in the event of arrest the petitioners, **Rohit @ Saddam Hussain, Nasim @ Md. Nasim, Bhadu @ Md. Sabir Ansari and Sarukh @ Sharukh Khan** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also be 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 Bharatiya Nagarik Suraksha Sanhita and on condition that the petitioners shall meet the I.O. once in a week till the submission of the final report. The petitioners shall appear before the learned Additional Chief Judicial Magistrate, Chandannagar within two weeks from date.
5. In the event the petitioners fail to comply with any of the conditions as mentioned hereinabove, the trial court shall be at liberty to cancel their bail automatically without any reference to this court.
6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
7. CRM (A) 2555 of 2024 is, thus, disposed of.
8. 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.)