

06.08.2024
Court No.29
Item No. 30

Allowed

sg

CRM (A) 2650 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 Taherpur Police Station Case No. 213 of 2024 dated 26.04.2024 under Sections 323/326/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Krishnagar at Nadia.

And

In Re: **Amit Das**

Petitioner

Mr. Sumana Das

For the Petitioner

Mr. Imran Ali

Mr. Soumya Basu Roy Chowdhuri

For the State

1. The learned Counsel for the petitioner submits that the over a dispute, a altercation took place and he has been falsely implicated.
2. The learned Counsel appearing on behalf the State has referred to the statement of the injured and the medical report to oppose the prayer for anticipatory bail.
3. Considering the materials available in the case diary, nature and extent of complicity of the petitioner in the commission of alleged offence, statement of the victim, injury report and having regard to the fact that injury may be resulted in an altercation over a dispute, we are of the view that the custodial interrogation of the present petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest the petitioner namely, **Amit Das**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with

two sureties of lime amount each, one of whom must be local, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita. The petitioner shall meet the I.O. once in a fortnight till the submission of final report.

5. In the event the petitioner fails to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
7. 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.)