

06.08.2024

Court No.29

Item No. 45

Allowed

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CRM (A) 2665 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nabagram Police Station Case No. 233 of 2024 dated 19.05.2024 corresponding to G.R. Case No. 927 of 2024 under Sections 341/325/307 of the Indian Penal Code.

And

In Re: **Khurshid Alam @ Khursid Alam**

Petitioner

Mr. Tapodip Gupta

Mr. Suman Bhanja

For the Petitioner

Mr. Saibal Bapuli

Mr. Samarjit Balial

For the State

1. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated due to previous animosity.
2. Learned counsel for the State has produced the case diary.
3. Considering the materials available in the case diary, the statement of the victim, the nature of injury suffered does not appear to be grievous in nature and the fact that 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, **Khurshid Alam @ Khursid Alam** 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, 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 Additional Chief

Judicial Magistrate, at Lalbagh, Murshidabad, corresponding to G.R. Case No. 927 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)