

06.08.2024  
Court No.29  
Item No. 63

Allowed

sg

**CRM (A) 2683 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 Mothabari Police Station Case No. 167 of 2024 dated 26.03.2024 under Sections 341/325/326/307/506/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate at Malda.

And

In Re: **Bhola Mandal**

Petitioner

Mr. Sayan Mukherjee

For the Petitioner

Mr. Bibaswan Bhattacharya  
Ms. Puja Goswami

For the State

1. We have heard the learned Counsel for the parties.
2. A free fight took place between the parties.
3. Considering the materials available in the case diary and the nature of injury sustained by the injured and in view of the fact that the allegation against the present petitioner appears to be omnibus in nature, we are of the view that the custodial interrogation of the present petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest the petitioner namely, **Bhola Mandal**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like 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 week till the submission of final report and shall appear before the learned Trial Court within two weeks from date.

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.)**