

19.08.2024
SL No.15
Court No.29
(gc)
(Allowed)

CRM (A) 2785 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 filed in connection with Kulpi Police Station Case No.131 of 2024 dated 16.04.2024 under Sections 447/323/324/326/427/506/34 of the Indian Penal Code.

And

In the matter of : **Nazrul Islam Gazi @ Nazrul Islam Gaji & Ors.**

- Petitioners.

Md. Wasim Akram

....For the Petitioners.

Mr. Atif Ahmed Siddiqui,

... For the State.

Mr. Muhammad Jawwad,

Ms. Reshmi Khatun

...For the De facto Complainant.

1. Heard the learned Counsel for the parties.
2. The dispute between the two brothers has resulted in some injury.
3. The learned Counsel for the de facto complainant does not oppose the prayer for anticipatory bail.
4. The learned Counsel for the State has produced the case diary.
5. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and having regard to the nature of injury and the circumstances in which such incident took place and the prayer for anticipatory bail is not opposed by the de facto complainant, we are of the view that custodial interrogation of the petitioners is not necessary.
6. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Nazrul Islam Gazi @ Nazrul Islam Gaji, Aidul Gazi @**

Ohidul Gazi @ Ohidul Gaji and **Iunus Gazi @ Younish Gazi @ Younush Gaji**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, to the satisfaction of the arresting officer and also 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 BNSS, 2023 and the petitioners shall meet the I.O. once in a fortnight till the submission of the final report.

7. It is further directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate at Dimond Harbour, South 24 Parganas in connection with G.R. Case No.1213 of 2024 within two weeks from date.
8. Accordingly, the application for anticipatory bail is disposed of.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)