

16.08.2024

Court No.29

Item No. 12

Allowed

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CRM (A) 2801 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to section 438 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 249 of 2024 dated 29.04.2024 corresponding to G.R Case No. 2172 of 2024 under Sections 341/323/325/304/34 of the Indian Penal Code.

And

In Re: **Jalal Mondal & Ors.**

Petitioners

Mr. Anit Dey

Ms. Ritoma Sarkar

For the Petitioners

Mr. Debasish Roy, Ld. P.P

Mr. Arijit Ganguly

Mr. Kaushik Kundu

For the State

1. Learned counsel appearing for the petitioners submits that over a family dispute they have been falsely implicated.
2. Learned counsel for the State has produced the case diary.
3. 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 statement of the witnesses recorded under Section 161 Cr.P.C read with post-mortem report, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Jalal Mondal, Jainal Mondal @ Joylal Mondal, Babu Mondal @ Babar Ali, Hazrat Modal @ Hajrat Mondal, Jakir Mondal, Aktarul Mondal @ Aktar Ali, Hossain Ali Mondal and Safikul Mondal @ Sapikul Mondal** 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, 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. The petitioners shall meet the Investigating Officer once in a week till the submission of the final report and on further condition that the petitioners shall appear before the learned Chief Judicial Magistrate, Murshidabad, within two weeks from date in connection with G.R Case No. 2172 of 2024. 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 petitioners 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)