

16.08.2024

Court No.29

Item No. 46

Allowed

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CRM (A) 2835 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 Suti Police Station Case No. 465 of 2024 dated 28.06.2024 corresponding to G.R Case No. 2056 of 2024 under Sections 341/326/307/324/379/34 of the Indian Penal Code.

And

In Re: **Ukil Sk @ Ukil Sekh & Ors.**

Petitioners

Ms. Benajir Hasna

Ms. Piya Goswami

For the Petitioners

Mr. Debabrata Chatterjee

Mr. Tapas Kumar Saha

For the State

1. Learned counsel for the petitioners submits that the petitioners are innocent and they are no way connected with the alleged crime. It is submitted that the present petitioner no. 1 lodged a complaint on 22.6.2024 prior in point of time against the de-facto complainant and his family members due to previous enmity being armed with rod, bamboo stick assaulted his nephew, namely, Sariful Islam. It is submitted that due to political involvement of the petitioners the name of the petitioners along with others have been implicated.
2. Learned counsel for the State has referred to the case diary and the injury report.
3. Considering the materials available in case diary and prima facie, the nature and extent of complicity of the petitioners in the commission of the alleged offence and having regard to the fact that there has been case and counter case between the parties and the nature of injury which appears to

be simple, according to the injury 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, **Ukil Sk @ Ukil Sekh, Anowar Sk, Ana Sk @ Masud Hasan Rana, Jeker Sk @ Jeker Ali, Obaidur Sk @ Obaidur Rahaman and Ezaz Sk @ Ijaj Sk** 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 **petitioner nos. 1,2,4,5 and 6** shall meet the Investigating Officer once in a week or as and when called for till the submission of the final report and the **petitioner no. 3** shall cooperate with the investigation till submission of the final report and on further condition that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad within two weeks from date in connection with G.R Case No. 2056 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)

