

16.8.2024
SL Nos. 60
Ct No. 29
SB

CRM (A) 2849 of 2024

In Re : An application for anticipatory bail under Section 482 of BNSS 2023 (earlier Section 438 of the Code of Criminal Procedure, 1973) filed in connection with Chanchal Police Station Case No. 565 / 2024 dated 07.6.2024 under Sections 341 / 326 / 308 of Indian Penal Code.

And

Abdul Latib & Anr.

Vs.

The State of West Bengal

Ms. Jenifar Alam Megha

... for the Petitioners

Mr. Prasun Kumar

Mr. Ashok Das

... for the State

1. Leave is granted to correct the cause title.
2. Heard the learned advocates for the parties.
3. It appears to be a free-fight between the family members over cultivation right. The petitioners alleged that they have been falsely implicated.
4. Learned counsel appearing for the State in opposing the prayer has referred to the injury report and the statement of the victim recorded under Section 161 of the Code of Criminal Procedure.
5. Considering the materials available on record, the nature and extend of complicity of the petitioners in the commission of the alleged offence and involvement of the petitioners and having the fact that no specific overact has been attributed to the petitioners for the commission of the alleged offence we are of the opinion that custodial interrogation is not required.
6. Accordingly, we direct that in the event of arrest, the petitioners namely, Abdul Latib & Machhu @ Sajjad Ali shall be released on bail upon furnishing a bond of Rs.10,000/- each one of whom must be local, 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. Petitioners shall meet the Investigating Officer once in a week till the submission of the final report.

7. It is further directed that the present petitioner shall appear before the learned Additional Chief Judicial Magistrate, Chanchal, Malda, in connection with G.R. Case No. 1513 of 2024 within two weeks from date and pray for regular bail.
8. In default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court
9. Accordingly, the application for anticipatory bail is disposed of.
10. 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.)