

27.08.2024

Court No.29

Item No. 46

Allowed

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CRM (A) 2915 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 Jalangi Police Station Case No. 185 of 2024 dated 12.06.2024 corresponding to GR Case No. 2950 of 2024 under Sections 341/325/326/307/34 of the Indian Penal Code.

And

In Re: **Rejaul Mondal @ Rejaul Haque Mondal & Ors.**

Petitioners

Ms. Minoti Gomes

Mr. J.I Hossain

For the Petitioners

Mr. Suman De

Miss. Kanchan Ray

For the State

Mr. S. Bhattacharya

Mr. M.S Biswas

For the De-facto Complainant

1. Heard the learned counsel appearing for the parties.
2. Considering the materials available in case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and the nature of injury sustained and also having regard to the circumstances for which such alleged offence had taken place, we are of the view that custodial interrogation of the petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Rejaul Mondal @ Rejaul Haque Mondal, Sofikul Mondal @ Safikul Islam Mondal, Sadek Mondal @ Sadek Ali Mondal, Montu Mondal @ Aminul Mondal @ Aminul Mandal and Saidul Mondal** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two

sureties of like amount each, one 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, corresponding to Section 482(2) of the BNSS, 2023. 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, Berhampore, Murshidabad, within two weeks from date in connection with GR Case No. 2950 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.

4. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
5. 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)