

28.08.2024
Court No.29
Item No. 45

Allowed

cm

CRM (A) 2940 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Panri Police Station Case No. 73 of 2024 dated 06.05.2024 under Sections 323/325/326/307/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Suri Birbhum.

And

In Re: **Sekh Shaokat @ Shaokat Sekh & Anr.**
Petitioner

Mr. Saryati Datta
Mr. Sanjib Kr. Das,
Chitrak Biswas,

For the Petitioners

Ms. Sreyashee Biswas,
Mr. Nirupam Dhali,

For the State

1. The learned Counsel for the petitioners submits that the petitioners are not FIR named persons and they have been falsely implicated. It is further submitted that the co-accused persons has been enlarged on bail by the coordinate Bench from time to time.
2. The learned Counsel of the State in opposing his prayer for anticipatory bail has referred to the case diary, the statement of the injured and the injury report.
3. Considering the materials available in the case diary and the nature and extent of complicity of the petitioners in the commission of alleged offence and having regard to the fact none of the injured witnesses have referred to the petitioner no.2 and the reference of the petitioner no.1 was omnibus in nature, we are of the view that the custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest the petitioners namely, **Sekh Shaokat @ Shaokat Sekh and Miraj Sekh @ Miraj Sekh**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023. The petitioners shall meet the I.O. once in a week till the submission of final report and shall appear before the learned Jurisdictional Court within two weeks from date.
5. Accordingly, the application for anticipatory bail is disposed of.
6. 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.)