

30.08.2024

Court No.29

Item No.36

Allowed

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CRM (A) 2986 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 Kulti Police Station Case No. 137 of 2024 dated 28.03.2024 corresponding to G.R Case No. 870 of 2024 under Sections 448/436/506 of the Indian Penal Code.

In Re: **Md Washim Raja @ Md Wasim Raja**
Petitioner

Mr. Surajit Basu
Ms. Paramita Pal
Ms. Jasika Alam

For the Petitioner

Mr. Pravas Bhattacharya
Mr. Poulami Bose

For the State

1. Learned counsel for the petitioner submits that the petitioner is the husband of the de-facto complainant and has been falsely implicated.
2. Learned counsel for the State has produced the case diary and has referred to the seizure list and the statements of the de-facto complainant and the neighbours to show that the petitioner set on fire a few articles by trespassing the property of the petitioner.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the nature of the offence and relations between the parties, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Md Washim Raja @ Md Wasim Raja** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like

amount each, 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 petitioner shall meet the I.O once in a week till the submission of the final report and on further condition that the petitioner shall appear before the **learned Chief Judicial Magistrate, Paschim Bardhaman**, within two weeks from date in connection with **G.R Case No. 870 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 petitioner 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)