

29.08.2024

Court No.29

Item No. 11

Allowed

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CRM (A) 3005 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 Raghunathganj Police Station Case No. 724 of 2024 dated 25.06.2024 corresponding to G.R Case No. 1977 of 2024 under Sections 448/324/325/307/34 of the Indian Penal Code.

And

In Re: Abdur Rakib @ Abdul Rakib Sk. & Ors.

Petitioners

Mr. U.A. Dewan

Mr. Asif Dewan

For the Petitioners

Mr. Iqbal Kabir

Mr. Atulya Sinha

For the State

Mr. Washim Shah

Md. Wasim Akram

For the De-facto Complainant

1. Learned counsel for the petitioners submits that due to dispute over land a false complaint has been lodged against the petitioners.
2. Learned counsel for the State and the de-facto complainant have opposed the prayer for anticipatory bail.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence, the nature of injury which appears to be simple in nature and having regard to the circumstances under which such incident had taken place, 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, **Abdur Rakib @ Abdul Rakib Sk., Istak Ahmed @ Istakar Ahmed**

and Sheikh Khairul Islam @ Khairul Sheikh 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 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 **Additional Chief Judicial Magistrate, Jangipur, Murshidabad**, within two weeks from date in connection with **G.R Case No. 1977 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)