

02.09.2024  
A-54  
Court No.29  
TN  
(Allowed)

**CRM (A) 3020 of 2024**

In Re:- An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Basirhat Police Station Case No.456 of 2024 dated 02.07.2024 under Sections 329(3)/324(4)/115(2)/108/3(5) of the BNS.

And

In the matter of: **Subash Mondal and others**

.... petitioners

Mr. Kallol Kumar Basu,  
Md. Jannat Ul Firdous

....for the petitioners

Mr. Debabrata Chatterjee, Ld. APP,  
Ms. Baishakhi Chatterjee

....for the State

1. Heard the learned counsel for the parties.
2. Considering the materials available in the case diary and having regard to the fact that the dispute arose with regard to the construction of boundary wall and there appears to be the existing civil dispute between the parties and also having regard to the nature and extent of complicity of the petitioners in the commission of the alleged offence and also the post mortem report which suggests that the death was due to hanging ante mortem in nature, 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, **Subash Mondal, Bibekananda Mondal @ Hona @ Vibekananda Mondal, Nagen Sarkar @ Nagendra Sarkar** and **Debashis Mondal** respectively 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, 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, corresponding to Section 482(2) of the BNSS, 2023.

4. The petitioners shall meet the Investigating Officer once in a fortnight till submission of the final report.
5. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Basirhat, North 24 Parganas within two weeks from date and pray for regular bail.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Soumen Sen, J.)**

**(Shampa Dutt (Paul), J.)**