

**10.09.2024**

Court No.29

Item No. 25

**Allowed**

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**CRM (A) 3043 of 2024**

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nabagram Police Station Case No. 363 of 2024 dated 28.07.2024 corresponding to G.R Case No. 3555 of 2024 under Sections 126(2)/118(2)/110/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Shukuddi Sk @ Shukuddin Sk & Anr.**

Petitioners

Mr. Soumyajit Das Mahapatra

Mr. Ali Ahsan Alamgir

Ms. Soma Mal

Ms. Rabia Khatoon

Mr. J. Modak

For the Petitioners

Mr. Anwar Hossain

Ms. Kanchan Roy

For the State

1. Learned counsel for the petitioners submits that the petitioners are innocent and the dispute arose between the two groups regarding cultivation of land.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the injured.
3. 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 injury report, which appears to be simple and the circumstances to which such incident occurred, 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, **Shukuddi Sk @ Shukuddin Sk and Samsujoha Sk @ Samsuzzoha**

shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 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, Lalbagh, Murshidabad,** within two weeks from date in connection with **G.R Case No. 3555 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)**

**(Prasenjit Biswas, J)**