

04.09.2024

Court No.29

Item No. 21

Allowed

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CRM (A) 3067 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak Police Station Case No. 894 of 2023 dated 15.07.2023 corresponding to G.R Case No. 4508 of 2023 under Sections 304/337/338/308/109/120B/34 of the Indian Penal Code read with Sections 3/4/6 of the Explosive Substances Act, 1908.

And

In Re: **Mustakim Sk @ Bhim @ Mostakim Sk**

Petitioner

Mr. Wasim Akram

For the Petitioner

Mr. Joydeep Biswas

Ms Sanjida Sultana

For the State

1. Claiming parity with the co-accused persons, who have been granted anticipatory bail on 20.2.2024 in CRM (A) 555 of 2024 not being opposed on behalf of the State, this application for anticipatory bail is allowed. Moreover, the charge-sheet has already been filed.
2. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Mustakim Sk @ Bhim @ Mostakim Sk** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 Act, 2023 and on further condition that the petitioner shall appear before the **learned Chief Judicial Magistrate, Malda**, corresponding to **G.R. Case No. 4508 of 2023** within two weeks from date and the petitioner shall not intimidate the witnesses or tamper with

evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. 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.

3. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
4. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Shampa Dutt (Paul), J)