

05.09.2024

Court No.29

Item No.26

Allowed

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CRM (A) 3091 of 2024

In Re:- An application for anticipatory bail under 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tamluk Police Station Case No. 620 of 2024 dated 20.07.2024 corresponding to G.R Case No. 2445 of 2024 under Sections 329(3)/308(2)/126(2)/115(2)/117(2)/303(2)/351(2) of the Bharatiya Nyaya Sanhita, 2023.

In Re: **Sk. Saifuddin**

Mr. Swapan Kumar Mallick

Ms. Sudeshna Das

For the Petitioner

Ms. Minoti Gomes

Mr. Debasish Das

For the State

1. Heard the learned counsel for the parties.
2. Over a family dispute free fight took place between the parties in which injury was caused and there is also case and counter case between them.
3. Considering the materials available in the case diary, the nature of allegation and complicity of the petitioner in the commission of the alleged offence and the injury report, which appears to be simple in nature, 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, **Sk. Saifuddin** 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,

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, Tamluk**, within two weeks from date in connection with **G.R Case No. 2445 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)

(Shampa Dutt (Paul), J)