

10.09.2024
SL No.57
Court No.29
(gc)
(Allowed)

CRM (A) 3208 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Criminal Procedure Code, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Beldanga Police Station Case No.494 of 2024 dated 30.06.2024 under Sections 341/325/326/307/506/34 of the Indian Penal Code.

And

In the matter of : **Furkan Ali & Anr.**

- Petitioners.

Mr. Arnab Chatterjee,
Mr. Anisur Rahman

....For the Petitioners.

Mr. Soumik Ganguly,
Mr. Tirthankar Dhali

... For the State.

1. The dispute over construction of the boundary wall has resulted in a free fight between the two groups.
2. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and the nature of injury which is not grievous or serious in nature and taking into consideration the circumstances under which such incident had happened and having regard to fact that the charge-sheet has already been filed, 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, **Furkan Ali** and **Md. Harun Al Rashid @ Harun Sk**, 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 Cr.P.C., 1973 corresponding to Section 482(2) of the BNSS, 2023.

4. It is further directed that the petitioners shall appear before the learned Chief Judicial Magistrate, Murshidabad at Berhampore in connection with G.R. Case No.3376 of 2024 within two weeks from date.
5. Accordingly, the application for anticipatory bail is disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Prasenjit Biswas, J.)