

05.09.2024
SL No.63
Court No.29
(gc)
(Allowed)

CRM (A) 3128 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Englishbazar Police Station Case No.440 of 2024 dated 31.03.2024 under Sections 489(B)/489(C) of the Indian Penal Code.

And

In the matter of : **Animesh Das**

- Petitioner.

Mr. Kazi M. Rahman

....For the Petitioner.

Mr. Antarikhya Basu,

Mr. Debarshi Brahma

... For the State.

1. The learned Counsel for the petitioner submits that he has been falsely implicated. It is also submitted that the petitioner has been named by the co-accused and he is presently absconding.
2. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence and since the charge-sheet has already been submitted, we are of the view that custodial interrogation of the petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Animesh Das**, 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, 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 and on

further conditions that the petitioner shall appear before the trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

4. It is further directed that the petitioner shall appear before the learned Sessions Judge, Malda in connection with G.R. Case No.2063 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.)

(Shampa Dutt (Paul), J.)