

09.09.2024
SL No.28
Court No.29
(gc)
(Allowed)

CRM (A) 3158 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 Paikar Police Station Case No.272 of 2024 dated 04.07.2024 under Sections 341/323/325/307/506 and 34 of the Indian Penal Code.

And

In the matter of : **Rafikul Sekh & Ors.**

- Petitioners.

Mr. Rajendra Banerjee,
Mr. Ranjit Malakar

....For the Petitioners.

Ms. Zareen Nasima Khan,
Ms. Sana Naaz

... For the State.

1. The dispute between two blood brothers have resulted hot altercation in which both sides claimed to have suffered injury. There has been a case and counter-case between the parties.
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, the injury report and the circumstances under which such incident had taken place, 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, **Rafikul Sekh, Safikul Sekh, Atikul Sekh @ Sekh Atikur Rahaman, Sebina Bibi, Majida Bibi, Sukhida Khatun @ Bibi and Mabud Sk @ Golam Mabud Sk**, shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two registered sureties of like amount each, 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 condition that the petitioner nos.1, 2, 3 and 7 shall meet the I.O. once in a week till the submission of the final report and the petitioner nos.4, 5 and 6 shall cooperate with the investigation.

4. It is further directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum in connection with G.R. Case No.1249 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.)