

09.09.2024
Court No.29
Item No. 37

Allowed

SM/Aloke

CRM (A) 3167 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Nalhati Police Station Case No. 360 of 2024 dated 24.06.2024 under Sections 498A/307/406 of the Indian Penal Code, 1973, pending before the Court of learned Sessions Judge, Birbhum, Suri.

And

In Re: **Toufik Ahammed Chowdhury @ Toufik Ahamed Chowdhury @ Chaudhuri**

Petitioner

Mr. Sankar Nath Mukherjee,
Ms. Manisha Paswan

For the Petitioner

Mr. Joydeep Roy,
Mr. Habib Hasan

For the State

1. The present petitioner is the step son of the de facto complainant.
2. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and the injury which appears to be simple and having regard to the role of the petitioner prima facie Section 498A of the Code of Criminal Procedure would not be applicable to him and also considering his age, we are inclined to grant anticipatory bail to the petitioner.
3. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Toufik Ahammed Chowdhury @ Toufik Ahamed Chowdhury @ Chaudhuri** shall be released on bail upon furnishing a bond of Rs.5,000/-, with two registered sureties, subject to the satisfaction of 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 Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall appear before the Investigating Officer of the concerned Police Station once in a week and on further condition that the petitioner shall appear before the jurisdictional Court within two weeks and on every date fixed for appearance of the accused and in default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
5. 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.)