

09.09.2024
Court No.29
Item No. 39

Allowed

SM/Aloke

CRM (A) 3169 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 Mandir Bazar Police Station Case No. 564 of 2023 dated 30.12.2023 under Sections 341/326/307/506/34 of the Indian Penal Code, 1973, pending before the Court of learned Additional Chief Judicial Magistrate, Diamond Harbour, South 24 Parganas.

And

In Re: **Samsul Alam Shiuli @ Samsur Alam Sheuli**
Petitioner

Ms. Reshmi Khatun,

For the Petitioner

Ms. Z.N. Khan,
Ms. Jonaki Saha

For the State

1. Heard the learned advocates for the parties.
2. Learned counsel for the petitioner submits that the due to previous grudge a false complaint has been lodged against the petitioner.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence which does not appear to be grievous and the circumstances under which the said incident occurred, we feel that the custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Samsul Alam Shiuli @ Samsur Alam Sheuli** 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 learned Additional Chief Judicial Magistrate, Diamond Harbour, South 24 Parganas 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 meet 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 from date 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.

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.)