

09.09.2024
AD-46
Court No.29
TN
(Allowed)

CRM (A) 3176 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Khargram Police Station Case No. 232 of 2024 dated 28.06.2024 under Sections 341/326/307/34 of the IPC, 1860.

And

In the matter of: **Ishahoque Ali @ Md. Esahaque Ali @ Chanchal Sk. and others**

.... petitioners

Ms. Ayesha Sultana

....for the petitioners

Mr. Bibaswan Bhattacharya,
Ms. Madhumita Basak

....for the State

1. Considering the materials available in the case diary, the nature and extent of the injury which appears to be simple in nature and having regard to the circumstances in which such incident had taken place and the complicity of the petitioners in the commission of the alleged offence, we are of the view that custodial interrogation of the petitioners is not necessary.
2. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Ishahoque Ali @ Md. Esahaque Ali @ Chanchal Sk., Chhabita Bibi @ Chhabika Bibi and Lebentu Sk. @ Abdul Kabir** respectively 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.

3. The petitioner nos.1 and 3 shall meet the Investigating Officer once in a week till submission of the final report. The petitioner no.2 shall cooperate with the investigation.
4. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad 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.)