

09.09.2024
SL No.52
Court No.29
(gc)
(Allowed)

CRM (A) 3182 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Narkeldanga Police Station Case No.155 of 2024 dated 17.07.2024 under Sections 109/3(5)/3(6) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : **Md Rafique @ Rafique**

- Petitioner.

Mr. Aniruddha Bhattacharyya,
Mr. Uttam Mukherjee

....For the Petitioner.

Mr. Ranadeb Sengupta,
Mr. Nazmut Touhid

... For the State.

Mr. Tarique Quasimuddin,
Ms. Zainab Tanur

....For the De facto Complainant.

1. Heard the learned Counsel for the parties.
2. On the day of Muharram, an incident had taken place in which it is alleged that both sides have suffered injury and a case and counter-case has been filed.
3. Considering the materials available in the case diary, the nature and extent of complicity of the present petitioner in the commission of the alleged offence and the injury report which shows that wound on the cheek and hand and having regard to the circumstances under which such incident had taken place, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Md Rafique @ Rafique**, shall be released on bail upon

furnishing a bond of Rs.20,000/-, 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 482(2) of the BNSS, 2023 and on further condition that the petitioner shall meet the I.O. once in a week till the submission of the final report.

5. It is also directed that the petitioner shall not enter the place of occurrence except for the purpose of meeting the I.O. till the submission of the final report.
6. It is further directed that the petitioner shall appear before the learned Chief Judicial Magistrate, Sealdah, South 24 Parganas in connection with G.R. Case No.1309 of 2024 within two weeks from date.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)