

10.09.2024
SL No.51
Court No.29
(gc)
(Allowed)

CRM (A) 3202 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Salar Police Station Case No.217 of 2024 dated 16.07.2024 under Sections 126(1)/115(2)/118(1)/109(1)/351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : **Miraj Sk. & Anr.**

- Petitioners.

Mr. Navanil De,

Ms. Monami Mukherjee

....For the Petitioners.

Mr. Sandip Chakraborty,

Ms. Afreen Begum

... For the State.

Mr. Manas Kumar Das,

Mr. Mobaidur Hossain

....For the De facto complainant.

1. The learned Counsel for the petitioners submits that at the time of resolving a village dispute, there was a hot altercation in which the petitioners have been falsely implicated.
2. The learned Counsel for the State and the de facto complainant have opposed the prayer for anticipatory bail.
3. 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 nature of injury which does not appear to be grievous or life-threatening and it appears that a free fight took place between the parties and the circumstances at which such incident had happened and moreover the charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Miraj Sk.** and **Suroj Sk.**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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.
5. It is further directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Kandi at Murshidabad in connection with G.R. Case No.1265 of 2024 within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Prasenjit Biswas, J.)