

12.09.2024

Court No.29

Item No. 30

Allowed

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CRM (A) 3263 of 2024

In Re:- An application for anticipatory bail under 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Hemtabad Police Station Case No. 190 of 2024 dated 02.08.2024 corresponding to G.R Case No. 1711 of 2024 under Sections 112(2)/115(2)/118(1)/117(2)/118(2)/109(1)/351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Majibur Rahaman @ Majibur Sarkar**

Petitioner

Mr. Jisan Iqbal Hossain

For the Petitioner

Mr. Atif Ahmed Siddiqui

For the State

1. Learned counsel for the petitioner prays for anticipatory bail claiming parity with the Nur Jamal @ Nur Jamal Ahmed, who has been granted anticipatory bail on 10.9.2024 in CRM (A) 3183 of 2024 not being opposed on behalf of the State, although learned counsel for the State has rightly pointed out that the petitioner was not present at the time of occurrence, however, on the other facts and circumstances Nur Jamal was granted anticipatory bail, this application for anticipatory bail is allowed.
2. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Majibur Rahaman @ Majibur Sarkar** 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 the 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 BNSS Act, 2023. The petitioner shall meet the I.O once in a week till the submission of the final report and on further condition that

the petitioner shall appear before the **learned Chief Judicial Magistrate, Raiganj, Uttar Dinajpur**, within two weeks from date in connection with **G.R Case No. 1711 of 2024**. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

3. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
4. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Prasenjit Biswas, J)