

18.09.2024

Court No.29

Item No. 20

Partly
Allowed

ar

CRM (A) 3332 of 2024

In Re:- An application for anticipatory bail under 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Amdanga Police Station Case No. 606 of 2024 dated 31.08.2024 corresponding to G.R Case No. 2256 of 2024 under Sections 85/64/115(2)/351(2)/89 of the Bharatiya Nyaya Sanhita, 2023

And

In Re: **Sabir Hossain & Ors.**

Petitioners

Mr. Surajit Basu

Ms. Jasika Alam

Mr. Pritam Chakraborty For the Petitioners

Mr. Saibal Bapuli, Ld. APP

Mr. Sujan Chatterjee For the State

Md. Younush Mondal For the De-facto Complainant

1. Leave is granted to mention the name of the petitioners in the second page of cause title.
2. Heard the learned counsel for the parties.
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 and having regard to the statement of the victim in which the victim has directly implicated the petitioner no. 4 for the alleged offence, we are **not** inclined to grant anticipatory bail to the **petitioner no. 4**, however, the allegations against the other petitioners are omnibus and general in nature, we are of the view that custodial interrogation of the **petitioner nos. 1, 2 and 3** is not necessary.

4. Accordingly, we direct that in the event of arrest, namely, the **petitioner no. 1, Sabir Hossain, the petitioner no. 2, Khalil Goldar and the petitioner no. 3, Sahanara Banu Bibi** shall be released on bail upon furnishing a bond of Rs.10,000/-each, with two registered sureties of like amount each, 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, 2023. The **petitioner nos. 1 and 2** shall meet the I.O once in a week till the submission of the final report and the **petitioner no. 3** shall meet as and when required following the female norms till the submission of the final report and on further condition that the **petitioner nos. 1, 2 and 3** shall appear before the **learned Chief Judicial Magistrate, Barasat, North 24 Parganas**, within two weeks from date in connection with **G.R Case No. 2256 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.
5. Accordingly, the prayer for anticipatory bail of the **petitioner nos. 1, 2 and 3** is allowed, however, the prayer for anticipatory bail of the **petitioner no. 4** stands rejected and the application 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)

(Uday Kumar, J)

