

18.09.2024
Court No.29
Item No. 30

Allowed
sg

CRM (A) 3342 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Suti Police Station Case No. 477 of 2024 dated 30.06.2024 under Sections 341/324/325/326/34 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad.

And

In Re: **Nakirul Khan & Ors.**

Petitioners

Mr. Benajir Hasna
Mr. Bibaswan Bhattacharya
Mr. Aliul Islam

For the Petitioners

Mr. Rana Mukherjee
Ms. Jonaki Saha

For the State

1. We have heard the learned Counsel for the parties.
2. Considering the materials available in the case diary, the nature and extent of involvement of the petitioners in the commission of the alleged offence, having regard to the statement of the victim and that the incident had taken place after a complaint has been lodged by the wife of the third petitioner against the de-facto complainant and his family members and also having regard to the nature of injury which does not appear to be grievous in nature, we are of the view that custodial interrogation of the present petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest the petitioners namely, **Nakirul Khan, Akherul Khan @ Akkrul Khan, Sanirul Khan @ Sonirul Kha and Esahak Khan**, shall be released on bail upon furnishing a bond of

Rs.10,000/-, with two registered sureties of like amount each, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita. The petitioners shall meet the I.O. once in a week till the submission of final report. The petitioners shall appear before the learned jurisdictional court within two weeks from date.

4. In the event the petitioners fail to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
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.)