

19.09.2024

Court No.29

Item No. 14

Allowed

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CRM (A) 3348 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Harwood Point Coastal Police Station Case No. 170 of 2024 dated 17.05.2024 corresponding to G.R Case No. 1048 of 2024 under Sections 448/323/325/308/354/34 of the Indian Penal Code.

And

In Re: **Nani Das @ Ashish Das**

Petitioner

Mr. Shamik Bagchi

Mr. Noor Islam Seikh For the Petitioner

Ms. Minoti Gomes

Mr. Debabrata Mondal For the State

1. Heard the learned counsel appearing for the parties.
2. The report filed by the S.I is taken on record.
3. Considering the materials available in the case diary and having regard to the injury report, which is simple in nature and the circumstances under which the incident had occurred and moreover the charge-sheet has been filed, 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, **Nani Das @ Ashish Das** shall be released on bail upon furnishing a bond of Rs. 5,000/-, 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 and

on further condition that the petitioner shall appear before the **learned Additional Chief Judicial Magistrate, at Kakdwip, South 24 Parganas**, corresponding to **G.R Case No. 1048 of 2024** within two weeks from date and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. 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 is allowed and the same 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)