

19.09.2024

Court No.29

Item No.17

ar

CRM (A) 3351 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 Tehatta Police Station Case No. 424 of 2024 dated 14.06.2024 corresponding to S.L No. 1225 of 2024 under Sections 341/326/307/354b/34 of the Indian Penal Code read with Sections 25/27 of the Arms Act.

And

In Re: **Darud Sardar**

Petitioner

Mr. Asraf Mondal

Md. Bani Israil

For the Petitioner

Mrs. Amita Gaur

Mr. Arup Sarkar

For the State

Mr. Arindam Jana

Mr. Siddhartha Sankar Mondal

Ms. Arunima Das Sharma

For the De-facto Complainant

1. Heard the learned counsel appearing for the parties including the learned counsel for the de-facto complainant.
2. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and also having regard to the statement of the injured in which no overt act has been ascribed to the present petitioner, we are of the view that custodial interrogation of the petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Darud Sardar** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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. 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 Additional Chief Judicial Magistrate, Tehatta, Nadia** within two weeks from date in connection with **S.L No. 1225 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.

4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
5. 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)