

19.09.2024
Court No.29
Item No.43

Allowed
TN

CRM (A) 3377 of 2024

In Re:- An application under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the BNSS, 2023 filed in connection with Thanarpara Police Station Case No. 67 of 2024 dated 16.03.2024 under Sections 302/34 of the Indian Penal Code, 1860.

And

In Re: **Swpan Mandal @ Habibur Mondal**
petitioner

Mr. Sabir Ahmed,
Mr. Tasnim Ahmed,
Mr. Dhiman Banerjee,
Mr. Mojahid Mehedi
for the petitioner

Mr. Soumya Basu Roy Chowdhury
for the *de facto* complainant

Mr. Saibal Bapuli,
Mr. Sufi Kamal
for the State

1. Claiming parity with Selim Mandal @ Selim Mondal who was granted anticipatory bail on 06.09.2024 in CRM (A) 3050 of 2024, not being opposed by the State and the *de facto* complainant, we are inclined to grant anticipatory bail to the petitioner.
2. Accordingly, we direct that in the event of arrest the petitioner namely, **Swpan Mandal @ Habibur Mondal**, 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 learned Additional Chief Judicial Magistrate, Tehatta, Nadia,

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 petitioner shall appear before the trial court on each and every date of hearing until further orders.

3. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without any further reference to this Court.
4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
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.)