

19.09.2024
Court No.29
Item No.47

Allowed

TN

CRM (A) 3381 of 2024

In Re:- An application under Section 438 of the Code of Criminal Procedure, 1973 read with Section 482 of the BNSS, 2023 filed in connection with Palashipara Police Station Case No. 295 of 2024 dated 21.06.2024 under Sections 306/34 of the Indian Penal Code, 1860.

And

In Re: **Uttam Mondal**

petitioner

Mr. Amanul Islam,
Mr. Sourav Mukherjee

for the petitioner

Ms. Anasuya Sinha, Ld. APP,
Mr. Tirthankar Dhali

for the State

1. Claiming parity with Ashoka Mondal @ Barna Mondal & Ors. who were granted anticipatory bail on 09.07.2024 in CRM (A) 2257 of 2024, not being opposed by the State, we are inclined to grant anticipatory bail to the petitioner.
2. Accordingly, we direct that in the event of arrest the petitioner namely, **Uttam Mondal**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, 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 BNSS, 2023, and subject to further condition that the petitioner shall not leave the jurisdiction of Palashipara Police Station without the permission of I.O. The petitioner shall meet the I.O. once in a week. The petitioner

shall appear before the learned Additional Chief Judicial Magistrate, Tehatta at Nadia in S.L. No. 143 of 2024 within two weeks from date.

3. In the event the petitioner fails to comply with any of the above conditions, 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. CRM (A) 3381 of 2024 is, thus, 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.)