

26.09.2024

Court No.29

Item No. 17

Allowed

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CRM (A) 3386 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Suti Police Station Case No. 485 of 2024 dated 01.07.2024 corresponding to G,R Case No. 2139 of 2024 under Sections 126(2)/118(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Masrekul Sk & Anr.**

Petitioners

Ms. Benajir Hasna

Mr. Bibaswan Bhattacharyya

Mr. Aliul Islam

For the Petitioners

Mr. Arani Bhattacharya

For the State

1. Heard the learned counsel appearing for the parties.
2. The report dated 24.9.2024 filed by the ASI, Suti P.S, Jangipur P.D. is taken on record.
3. The statements of wives of both the victims recorded under Section 180 BNSS have been produced.
4. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and having regard to the statement of the wives recorded under Section 180 BNSS it appears that the injury was simple, we are of the view that custodial interrogation of the petitioners is not necessary.
5. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Masrekul Sk and Hazari Sk @ Hazari Seikh** shall be released on bail upon furnishing a bond of Rs.5,000/- each, 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 petitioners shall meet the Investigating Officer once in a fortnight till the submission of the final report and on further condition that the petitioners shall appear before the **learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad**, within two weeks from date in connection with **G.R Case No. 2139 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.

6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
7. 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)