

19.09.2024

Court No.29

Item No.56

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CRM (A) 3390 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 Kaliachak Police Station Case No. 1028 of 2024 dated 07.07.2024 corresponding to G.R Case No. 4722 of 2024 under Sections 406/420/120B/34 of the Indian Penal Code.

And

In Re: **Raj Sk @ Hasanujaman**

Petitioner

Mr. Amitabha Karmakar

Mr. Arup Kumar Bhowmick

For the Petitioner

Mr. Subhomay Bhattacharya

Mrs. Debjani Sahu

For the State

1. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated. It is submitted that the dispute arose out of a business transaction.
2. Learned counsel for the State has fairly submitted that the petitioner has complied with the notice under Section 41A Cr.P.C. It is further submitted that the petitioner is cooperating with the investigation.
3. Considering the aforesaid facts, 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, **Raj Sk @ Hasanujaman** 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. The petitioner shall meet the I.O once in a fortnight till the submission of the

final report and on further condition that the petitioner shall appear before the **learned Chief Judicial Magistrate, Malda**, within two weeks from date in connection with **G.R Case No. 4722 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.

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)