

07.10.2024

Court No.29

Item No. 14

Allowed

ar

CRM (A) 3417 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 Sagardighi Police Station Case No. 272 of 2024 dated 29.06.2024 corresponding to G.R Case No.2080 of 2024 under Sections 420/120(B)/406/503/506/34 of the Indian Penal Code, 1860.

And

In Re: **Anarul Sk. @ Refu Sk @ Belu Sk. & Ors.**

Petitioners

Mr. Samrat Banerjee

Mr. Ashok Banerjee For the Petitioners

Ms. Sreyashee Biswas

Md. Zubair Alam For the State

1. We have heard the learned counsel appearing for the parties.
2. The de-facto complainant is personally present in Court.
3. The deposition of P.W 1, as recorded in CR 198 of 2024 on 19th July, 2024 and the report produced in Court are taken on record.
4. Considering the materials available in the case diary, the deposition of P.W in which he has categorically stated before the Judicial Magistrate, 1st Class, 2nd Court, Jangipur Murshidabad in connection with CR 198 of 2024 that the dispute has been amicably resolved between the parties and he has not made any allegation against the accused persons. In the background of the aforesaid facts, the present application for anticipatory bail is to be assessed and more over it is a dispute between the family members. Under such circumstances, 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, **Anarul Sk. @ Refu Sk @ Belu Sk., Setara Bibi, Abul Hasan @ Abdul Hasan, Reshma Khatun, Kabir Sk. @ Bapi @ Latifur Khabir and Ashma Khatun @ Asma Khatun** shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two sureties of like amount each, one of whom must be local, 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 nos. 1, 3 and 5 shall meet the Investigating Officer once in a fortnight till the submission of the final report and the petitioner nos. 2, 4 and 6 shall cooperate with the investigation till the submission of the final report following the female norms and on further condition that the petitioners shall appear before the **learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad**, within **10 days** from date in connection with **G.R Case No. 2080 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)

