

01.10.2024
AD-64
Court No.29
TN
(Partly Allowed)

CRM (A) 3538 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Jalangi Police Station Case No. 110 of 2024 dated 04.04.2024 under Sections 399/402 of the IPC.

And

In the matter of: **Momin Molla and others**

.... petitioners

Mr. Jisan Iqubal Hossain

....for the petitioners

Mr. Anand Keshri,
Ms. Mamata Jana

....for the State

1. Heard the learned counsel for the parties.
2. Considering the materials available in the case diary and the nature and extent of complicity of the petitioners in the commission of the alleged offence and the statement of the witness recorded under Section 161 of the Code of Criminal Procedure and considering the criminal antecedent of the petitioners, we are not inclined to grant anticipatory bail to the petitioner no.1.
3. Accordingly, the prayer for anticipatory bail of the petitioner no.1, namely **Momin Molla**, is rejected.
4. However, we allow the prayer for anticipatory bail of the petitioner nos. 2, 3 and 4.
5. Accordingly, we direct that in the event of arrest, the petitioner nos.2, 3 and 4, namely, **Sohel Rana @ Sohel Sk., Manik Sk.** and **Nipu Mondal** respectively shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two

registered sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023.

6. The petitioner nos.2, 3 and 4 shall meet the Investigating Officer once in a week till submission of the final report.
7. It is further directed that the present accused petitioner nos.2, 3 and 4 shall appear before the learned Chief Judicial Magistrate, Berhampore, Murshidabad by 8th October, 2024.
8. Accordingly, the application for anticipatory bail is disposed of.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)