

03.10.2024

Court No.29

Item No.51

ar

CRM (A) 3553 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Nabadwip Police Station
Case No. 441 of 2024 dated 08.07.2024 corresponding to S.L No. 420 of 2024
under Sections 126(2)/115(2)/118(2)/109/3(5) of the Bharatiya Nyaya Sanhita.

And

In Re: **Nabakumar Sarkar**

Petitioner

Mr. Amanul Islam

Mr. Sourav Mukherjee For the Petitioner

Ms. Sukanya Bhattacharya

Ms. Nandini Chatterjee For the State

1. Heard the learned counsel appearing for the parties.
2. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the fact that the dispute arose between the parties regarding the partition of the property in question and considering the background of the circumstances under which such incident had occurred and also regard being had to the injury, which is simple in nature, we are of the view that custodial interrogation of the petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Nabakumar Sarkar** 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 with 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, Krishnagar, Nadia, on or before 8th October, 2024** from date in connection with **S.L No. 420 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.

4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
5. 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)