

04.10.2024

Court No.29

Item No. 37

Allowed

gd/ssd

CRM (A) 3575 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nowda Police Station Case No.233 of 2024 dated 02.09.2024 corresponding to G.R Case No.4534 of 2024 under Sections 126(2)/118(2)/109(1) of the BNS.

And

In Re: Nemaï Mondal @ Nimaï Chandra Mondal.

...Petitioner

Mr. Robiul Islam,
Mr. Raju Mondal,
Mr. Masooq Rahman

For the Petitioner

Mr. Arani Bhattacharyya

For the State

1. Heard the learned counsel appearing for the parties.
2. Over a property dispute altercation took place between the uncle of the complainant and Nemaï Mondal. It is submitted that the present petitioner has been falsely implicated.
3. Learned counsel for the State has referred to the injury report and the statement of the petitioner.
4. Considering the nature and extent of the complicity of the petitioner, we are of the view that the custodial interrogation of the petitioner is not necessary.
5. The injury report of the Murshidabad Medical College and Hospital wherefrom it appears that the nature of the injury is simple.
6. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Nemaï Mondal @ Nimaï Chandra Mondal** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 shall meet the I.O as and when required till the submission of the final report and on further condition that the petitioner shall appear before the **Jurisdictional Court** within one week from date in connection with **G.R Case No.4534 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.

7. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
8. 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)