

**08.10.2024**

Court No.29

Item No.14

**Allowed**

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**CRM (A) 3626 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 Baishnabgar Case No. 261 of 2023 dated 25.04.2023 corresponding to G.R Case No. 2553 of 2023 under Sections 341/323/325/326/354/307/506/34 of the Indian Penal Code.

And

In Re: **Md. Amir Hossain @ Amir Hossain**

Petitioner

Mr. Shraman Sankar

Mr. Dhiman Banerjee

For the Petitioner

Mr. Shaila Afrin

Mr. Subhasish Datta

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 injury report and the involvement of the petitioner in the alleged offence and the case diary reveals that the injury appears to be grievous in nature and the circumstances under which such incident had occurred, 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, **Md. Amir Hossain @ Amir Hossain** 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 with the I.O once in a

fortnight till the submission of the final report and shall not leave the jurisdiction of Baishnabgar without the leave of the Jurisdictional Court, except for the purpose of meeting with I.O and attending the Court till the submission of the final report and on further condition that the petitioner shall appear before the **learned Chief Judicial Magistrate, Malda, within three weeks** from date in connection with **G.R Case No. 2553 of 2023**. 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)**