

12.11.2024
Sl. No.8
akd
[PARTLY
ALLOWED]

C. R. M. (A) 3805 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 05.10.2024 in connection with Domkal Police Station Case No. 397 of 2024 dated 24.06.2024 under Sections 341/326/307/34 of the Indian Penal Code. (G.R. Case No.3212 of 2024)

And

In Re: **Mukul Molla & Ors.**

... .. Petitioners

Mr. Soumyajit Das Mahapatra
Md. Golam Nure Imrohi

... .. for the petitioners

Mr. Anisur Rahaman

... .. for the de-facto complainant

Mr. Sudip Kumar .. Id. Addl. Public Prosecutor
Mr. Nirupam Dhali

... .. for the State

1. It is submitted on behalf of the petitioners there was a free fight and they have been falsely implicated. Case and counter-case have been registered. Accordingly, they pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Learned Advocate for the de-facto complainant also opposes the prayer for anticipatory bail and submits Mukul Molla and Minarul Molla are named in the injury report.
4. We have considered the materials on record. Injury report discloses role of Mukul Molla and Minarul Molla in the grievous assault. In such view of the matter, we are not inclined to grant anticipatory bail to petitioner no.1.
5. Accordingly, the prayer for anticipatory bail of the accused/petitioner no.1 namely, **(1) Mukul Molla** is rejected.

6. However, keeping in mind the extent of complicity of petitioner nos. 2, 3 & 4 in the alleged crime, we are inclined to grant anticipatory bail to them.

7. Accordingly, we direct in the event of arrest, the petitioner nos. 2, 3 & 4 namely **(2) Janarul Molla @ Mahommad Janarul Molla, (3) Sanarul Molla & (4) Manu Molla @ Manarul Molla**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner nos. 2, 3 & 4 shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

8. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)