

22.10.2024
Ct. No. 8
SL No. 18
NB / SB

C.R.M. (DB) 3563 of 2024

In Re: - An application for bail under Section 483 of B.N.S.S. 2023 in connection with Sagardighi P.S. Case No. 280/2024 dated 30.7.2024 under Sections 329(4)/118(1)/118(2)/109/3(5) of the Bharatiya Nayaya Suraksha Sanhita.

And

In the matter of: Samim Sk.

Mr. Jisan Iqubal Hossain

...for the Petitioner

Ms. Sonali Das

Mr. N. Touhid

....for the State

1. This is an application for bail under Section 483 of B.N.S.S. 2023 in connection with Sagardighi P.S. Case No. 280/2024 dated 30.7.2024 under Sections 329(4)/118(1)/118(2)/109/3(5) of the Bharatiya Nayaya Suraksha Sanhita.
2. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is in custody about sixty two days. Some other co-accused have been granted anticipatory bail by this Court. At best the allegations are about a land dispute which led to a free fight between the parties.
3. Learned counsel appearing on behalf of the State opposes the prayer and points to the statements and the injury report present in the case diary.
4. Considering the nature of the allegations and the facts that the petitioner is in custody for sixty two days and the charge sheet has already been submitted, we are inclined to allow the application for bail to the petitioner.
5. Accordingly, the petitioner namely, Samim Sk. 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, to the satisfaction

of the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad subject to the condition that the petitioner shall meet the Investigating Officer of the case once a week and shall not intimidate or threaten the witnesses or tamper with evidence in any manner whatsoever.

6. In the event he fails to appear before the Trial Court without any justifiable cause once the trial commences, the Trial Court shall be at liberty to cancel his bail automatically without any further reference to this Court.
7. The application for bail is, thus, allowed.

(Biswaroop Chowdhury, J.)

(Jay Sengupta, J.)