

08.11.2024  
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[ALLOWED]

**C. R. M. (A) 3846 of 2024**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Basirhat Police Station Case No. 363 of 2024 dated 01.06.2024 under Sections 489A/489B/489C/420/34 of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: Eusup Khan @ Rahul Mondal

... .. Petitioner

Mr. Madhurai Sinha.

... .. for the petitioner

Mr. Pravas Bhattacharya,  
Mr. Debarshi Brahma.

... .. for the State

1. Petitioner submits he is no way connected to the crime. His complicity has transpired from statement of co-accused which is inadmissible in evidence. He prays for anticipatory bail.
2. Learned lawyer for the State opposes the anticipatory bail prayer.
3. We have considered the materials on record. No legally admissible evidence connecting the petitioner with the crime has been collected. Investigation is complete.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.
5. Accordingly, we direct in the event of arrest, the petitioner viz., Eusup Khan @ Rahul Mondal be released on bail upon furnishing a bond of Rs.10,000/-, 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. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**