

14.11.2024
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as
[ALLOWED]

C. R. M. (A) 3922 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mothabari Police Station Case No. 347 of 2022 dated 26.08.2022 under Sections 363/365/34 of the Indian Penal Code and charge sheet submitted under Sections 363/365/364A/323/34 of the Indian Penal Code.

In Re: ***Mir Guddu Ali @ Mir Mijanur Rahaman.***

... ... Petitioner

Mr. Sujoy Sarkar,
Mr. Mushraf Alam,
Ms. Sneha Srivastava.

... ... for the petitioner

Mr. Debasish Roy, Id. P.P.,
Mr. Rana Mukherjee, Id. A.P.P.,
Mr. Dipankar Mahata.

... ... for the State

1. It is submitted de-facto complainant and his family members had assaulted petitioner's father. A criminal case has been registered. Subsequently, they have been falsely implicated in the case. Co-accused viz., Mir Najir Ali has been granted anticipatory bail. Accordingly, he prays for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. Petitioner's father had been assaulted by the de-facto complainant and his family members. Co-accused viz., Mir Najir Ali has been granted anticipatory bail.

4. Keeping in mind these facts, we are inclined to extend the same privilege to the petitioner.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., ***Mir Guddu Ali @ Mir Mijanur Rahaman*** 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 BNSS. 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.)