

05.02.2024

Serial no. 495

Anticipatory bail

[Allowed]

Dd

CRM (A) 5572 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kalna** Police Station Case No. **500** of **2023** dated **30.04.2023** under Sections **341/323/419/420/468/506/34** of the Indian Penal Code, 1860 and Sections 3(1)(r)(s)/3(2)(v)(a) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.*

-And-

*In the matter of : **Md. Nijamuddin @ Sk. Nijamuddin**
... .. **Petitioner***

*Mr. Uday Sankar Chattopadhyay,
Mr. Santanu Maji,
Ms. Rajashree Tah,
Ms. Trisha Rakshit,
Ms. Aishwarya Datta, Advocates
... .. For the Petitioner*

*Mr. Suman De, Advocate
... ..For the State*

Police filed charge sheet.

As against the petitioner, police are not proceeding under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Affidavit-of-service filed in Court be taken on record.
None appears for the de facto complainant.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section

438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 5572 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)