

27.03.2025

Serial no. 70
(Anticipatory bail)
(Allowed)
(Dd)

CRM (A) 1038 of 2025

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Jalangi** Police Station Case No. **33** of **2025** dated **19.01.2025** under Sections **109/117(2)/118(2)/3(5)/329(3)** of Bharatiya Nyaya Sanhita, 2023 pending before Ld. CJM, Berhampore, Murshidabad.*

-And-

In the matter of : **AHASEN SK**

... .. Petitioner

Md. Sabbir Biswas,, Advocate

... .. For the Petitioner

Mr. Bitashok Banerjee,

Mr. Arup Sarkar, Advocates

... ..For the State

1. In an incident of assault occurring between the brothers, one injured suffered fracture of the lower 3rd ulna.
2. Police filed charge sheet.
3. Considering the nature of the incident and the involvement of the petitioner therein and the fact that the injury suffered was not to a vital part of the body of the victim, we are inclined to grant anticipatory bail to the petitioner.
4. 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 corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 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.

5. Prayer for anticipatory bail of the petitioner is **allowed**.
6. **CRM (A) 1038 of 2025** is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)