

02.05.2025
SL.36
Ct.No.28
NB
(Allowed)

CRM (A) 1429 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak P.S. Case No.99 of 2025 dated 23.01.2025 under Sections 329(3)/ 126(2)/115(2)/ 324(4)/351(3)/74/ 336(2) /336(3)/ 338/ 340/ 3(5) of the Bharatiya Nyay Sanhita, 2023 pending before the learned Chief Judicial Magistrate, Malda.

And

In the matter of : Asraul @ Asraul Sk. ... petitioner

Md. Wasim Akram
...for the petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Mujibar Ali Naskar.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. There was a fight that ensued over a civil dispute. No injuries were suffered by any of the parties.

Learned counsel appearing on behalf of the State relies on the case diary and submits that the accused had allegedly taken away a few mango trees from an orchard by use of force.

Considering the nature of allegations, I am inclined to grant anticipatory bail to the petitioner although by restricting the movement of the petitioner for a limited period.

Accordingly, in the event of arrest, the petitioner 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 Arresting Officer and subject to the conditions as laid

down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that he shall meet the Investigating Officer once a fortnight till submission of charge sheet, cooperate with the investigation and stay outside the jurisdiction of Kaliachak Police Station for a period of six months from this date except for the purpose of attending the jurisdictional Court or for meeting the Investigating Officer.

The application for anticipatory bail being **CRM(A) 1429 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)