

04/07/2025

D/L 65

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 1963 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Nodakhali P.S. Case no. 202 dated 20.4.2025 under Section 103(1)/3(5) of the BNS.

In the matter of: Alfa Molla @ Alfajuddin Molla & Anr.

... Petitioners

Mr. Biplab Mitra

Ms. Trina Mitra

...for the petitioner.

Mr. Aniket Mitra

Mr. Abhinabha Mukherjee

...for the State.

1. Considering the materials available in the case diary including the post-mortem report, which states that the death was due to effects of diseased condition of brain as described and neurogenic shock-natural cause and the fact that even if goes by the statements of witnesses, the single blow was given at the heat of the moment, I do not think that custodial interrogation of the petitioners are required in this case and as such, I am inclined to grant anticipatory bail to the petitioners.
2. In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to further conditions that the petitioners shall cooperate with the investigation and the petitioners shall

not threaten or intimidate witnesses. The petitioners shall meet the I.O once a week till submission of report in final form and surrender before the learned Trial Court and obtain bail within four weeks from date.

3. Accordingly, the application for anticipatory bail is allowed.
4. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)