

06.01.2025
Sl. No.14
akd
[ALLOWED]

C. R. M. (A) 4581 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 18.12.2024 in connection with Chandipur Police Station Case No.368 of 2024 dated 02.10.2024 under Sections 329(3)/115(2)/117(2)/109/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.3197 of 2024)

And

In Re: ***Nimai Chandra Mandal @ Nimai Chandra Mondal***

... .. Petitioner

Mr. Sabir Ahmed
Mr. Tasnim Ahamed
Mr. Dhiman Banerjee
Mr. Ezaz Ahmed

... .. for the petitioner

Ms. Sonali Biswas
Mr. Abhishek Verma

... .. for the State

1. Heard learned Advocates for both the parties.
2. We have considered the materials on record. There was a free fight between brothers. Both parties suffered injuries. Injury on the head was by throwing of brick bats. Intention of committing murder does not appear from the facts of the case. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.
3. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, ***Nimai Chandra Mandal @ Nimai Chandra Mondal***, 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall appear

before the jurisdictional court and pray for regular bail within four weeks from date.

4. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)