

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

28.08.2019.
31.
as
(Allowed).

C.R.M. 747 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 21.08.2019 in connection with Matigara P. S. Case No.446 of 2019 dated 28.06.2019 under Sections 448/323/326/354/427/34 of the Indian Penal Code.

In the matter of : Hamida Begum @ Gameda & Ors.
... Petitioners.

Mr. Anirban Mukherjee,
Mr. Hillol Saha Podder.
...for the Petitioners.

Mr. Ujjal Luksom,
Mr. Biswarup Roy.
.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted that there are case and counter case between the parties and it is also submitted that they have been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission made on behalf of the petitioner that there is pre-existing enmity between the parties and there are case

and counter case between themselves and as the injuries do not appear to be grievous, we are inclined in granting bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioners viz., Hamida Begum @ Hameda, Safia Begum @ Mamuda Khatun, Debiran Begam, Kabiran Begum, Md. Tamijuddin @ Lambu and Md. Tahidul shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners shall appear before the trial court and pray for regular bail within four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)