

15.09.2020
Sl. No.26
akd
[PARTLY
ALLOWED]

C. R. M. 6327 of 2020 [via video conferencing]
(CRAN 1 of 2020)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Gazole Police Station Case No. 25 of 2019 dated 17.01.2019 under Sections 341/326/307/34 of the Indian Penal Code.

And

In Re: **Kobirul Hoque & Ors.**

... .. Petitioners

Mr. Mrityunjoy Chatterjee .. Advocate

... .. for the petitioners

Mr. Arijit Ganguly .. Advocate

Mr. Sanjib Kumar Dan .. Advocate

... .. for the State

Petitioners undertake to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

The application being CRAN 1 of 2020 is accordingly, disposed of.

Having considered the materials on record disclosing prima facie involvement of the petitioner nos.1, 2, 3 & 4 in the assault of the victim causing grievous injuries and hospitalisation, we are of the opinion that this is not a fit case to grant anticipatory bail to them.

Accordingly, the prayer for anticipatory bail of the accused/petitioner nos.1, 2, 3 & 4 namely, **(1) Kobirul Hoque, (2) Monirul Hoque, (3) Amirul Hoque & (4) Nabab Sarif** is rejected.

However, in view of the extent of complicity of the petitioner nos.5, 6, 7 & 8 i.e. women folk of the family in the alleged crime and as the possibility of their false implication due to prior enmity cannot be

ruled out, we are of the opinion that custodial interrogation of the petitioner nos. 5, 6, 7 & 8 is not necessary in the facts of the present case and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner nos. 5, 6, 7 & 8 namely **(5) Anjura Bibi, (6) Kohinur Bibi, (7) Sebina Khatun Bibi & (8) Sabina Bibi**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) each, 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.

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

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)