

02.12.2020
Sl. No.56
akd
[PARTLY
ALLOWED]

C. R. M. 9590 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 19.11.2020 in connection with Kaliganj Police Station Case No. 376 of 2020 dated 15.08.2020 under Sections 447/325/326/354/427/307/506/34 of the Indian Penal Code.

And

In Re: **Rajeswari Bibi & Ors.**

... .. Petitioners

Mr. Angshuman Chakraborty .. Advocate

... .. for the petitioners

Mr. S. S. Imam .. Advocate

Mr. Subrata Roy .. Advocate

... .. for the State

It is submitted on behalf of the petitioners that there are case and counter-case between the parties.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that several victims suffered serious injuries.

We have considered the materials on record. There are prima facie materials disclosing petitioner no.4 had assaulted the victims who suffered serious injuries. Hence, we are of the opinion that this is not a fit case to grant anticipatory bail to him.

Accordingly, the prayer for anticipatory bail of the accused/petitioner no.4 namely, **(4) Akkas Sk.** is rejected.

However, in view of the extent of complicity of the petitioner nos.1, 2 & 3 (women folk in the family) in the alleged crime and since the possibility of false implication due to prior enmity cannot be wholly ruled out, we are inclined in granting anticipatory bail to them.

Accordingly, we direct that in the event of arrest, the accused/petitioner nos.1, 2 & 3 namely **(1) Rajeswari Bibi, (2) Moyna**

Bibi & (3) Jesmina Khatun @ Jasmina 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.)