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Partly allowed

C.R.M. 9730 of 2020

In Re.: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 640 of 2020 dated 24.08.2020 under Sections 498A/324/326/34 of the Indian Penal Code.

And

In Re : Umed Ali & Ors. petitioners

Mr. Parvej Anam

... for the petitioners

Mr. Madhusudan Sur, Learned A.P.P.

... for the State

Having considered the materials on record and bearing in mind the pivotal role of the petitioner no. 3 in assaulting the victim on the head and other parts of the body, we are of the opinion that custodial interrogation of petitioner no. 3 is necessary and this is not a fit case in granting anticipatory bail to her.

The application for anticipatory bail in so far as petitioner no. 3 concerned is, thus, rejected.

However, keeping in mind the extent of complicity of the petitioners no. 1, 2 and 4 in the alleged crime, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest the petitioners no. 1, 2 and 4 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 also

be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

Accordingly application for anticipatory bail is allowed so far as petitioners no. 1, 2 and 4 are concerned.

Learned appropriate Trial Court as well as all concerned authorities shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)