

16.04.2021

246
Ct-28
ar
Allowed

CRM 875 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 742 of 2020 dated 25.09.2020 under Sections 376/323/506/109 of the Indian Penal Code.

And

In the matter of: **Ismatara Khatun alias Chhobi Bibi**
...Petitioner.

Mr. Arup Kumar Bhowmick ... For the Petitioner

Mr. Tanmoy Kumar Ghosh
Mr. Arindam Sen ... For the State

The present petitioner happens to be the wife of the accused person against whom the allegation was made under section 376. So far as the present petitioner is concerned, the allegations are restricted to section 323 of the Code of Criminal Procedure.

The learned advocate for the State opposes the prayer for anticipatory bail and draws the attention of this Court to the relevant statements of the accused person.

Having regard to the nature of the case and the materials found against the present petitioner we are of the opinion that custodial interrogation of the petitioner is not warranted.

Accordingly, we **allow** the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely, Ismatara Khatun @ Chhobi Bibi shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, 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.

Accordingly, the application for anticipatory bail being CRM 875 of 2021 is thus disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)