

27.04.2021

Item No.06

Ct.No.28

Subha

Allowed

C.R.M. 977 of 2021

(Via Video Conference)

In Re: An application for anticipatory bail under Section 438 Cr.P.C in connection with Amta P. S. Case No. 97 of 2020 dated 12-03-2020 punishable under Sections 341/326/307/506/34 of the Indian Penal Code.

And

In the matter of : Mina Begum & Ors.

.. Petitioners.

Ms. Devipriya Mitra

... For the Petitioners.

Mr. Saibai Bapuli
Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

... For the State.

Apprehending arrest in connection with Amta Police Station Case No. 97 of 2020 dated 12-03-2020 punishable under Sections 341/326/307/506/34 of the Indian Penal Code, the present application has been filed.

Heard the rival submissions of the parties. We have perused the materials on record available in the case diary

more particularly, the injury report as well as the statement of the witnesses available in the case diary. The seizure list reflects that the offending weapon was recovered at the instance of an accused namely Sabir Mallick, son of Hanif Mallick. In course of investigation, Sk. Sabir Mallick was arrested by the Investigating Authorities on or about 17th April, 2020. Subsequently, he was released on bail.

Having regard to the complicity of the present petitioners and the fact that the chargesheet has already been submitted before the jurisdictional court, we are of the opinion that the custodial interrogation of the present petitioners are unwarranted in the fact and circumstances of the present case.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the *petitioners*, namely, **1. Mina Begum, 2. Mallik Hanif 3, Hanufa Begum 4, Sk. Mujibar Rahaman, 5. Erina Khatun, 6. Sabir Mallik, 7. Najima Begum & 8. Pakija Khatun** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each 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.

This order of anticipatory bail will remain force for a period of four weeks within which the present petitioners

would appear/surrender before the jurisdictional court and pray for regular bail and the jurisdictional court will be at liberty to impose conditions for securing the presence of petitioners in course of course of trial

The application for anticipatory bail, being CRM 977 of 2021 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(**Tapabrata Chakraborty, J.**)