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19-05-2021

Court 28

**C.R.M. 1007 of 2021
(Via Video Conference)**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ratua Police Station Case No. 77 of 2020 dated 11.02.2020 under sections 348/324/325/307/34 of the Indian Penal Code.

Durjana Bibi @ Gulfisha Khatun & Ors.
Versus
State of West Bengal

Allowed

Mr. Kalidas Saha, Adv.

...for the petitioners.

Mr. Saswata Gopal Mukherjee, Ld. PP

Ms. Faria Hossain, Adv.

Mr. Aniket Mitra, Adv.

...for the State.

It is submitted on behalf of the petitioners that they have been falsely implicated in this case due to village rivalry.

The State refers to the case diary and produces the injury reports of the victims.

Upon considering the materials on record, it appears that the charge-sheet has been submitted. Nature of injuries does not appear to be life threatening.

Considering the materials on record, we are inclined to hold that custodial interrogation of the petitioners is no longer necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners, namely, Durjana Bibi @ Gulfisha Khatun, Chameli Bibi, Sk Amenul and Sk Motiur shall be released on anticipatory 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 shall remain operative for a period of four weeks within which time, the petitioners shall surrender before the jurisdictional court and obtain regular bail.

The application for anticipatory bail is allowed.

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

(Suvra Ghosh, J.)

(Soumen Sen, J.)