

24.05.2021
Item no.28
Court No.28
Avijit Mitra

C.R.M. 1066 of 2021 (through video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : Rina Bibi & ors.

.... petitioners

Mr. Kalidas Saha

....for the petitioners

Mr. Saibal Bapuli,

Mr. Arijit Ganguly,

Mr. Sanjib Kumar Dan

..... for the State

Apprehending arrest in connection with Chanchal Police Station Case No.988 of 2019 dated 18.11.2019 under Sections 341/324/325/307/34 of the Indian Penal Code the present application has been preferred.

Learned advocate appearing for the petitioners submits that the petitioner no.1 is the sister-in-law and the petitioner no.2 is the mother-in-law and the petitioner no.3 is the brother-in-law of the *de facto* complainant. They have been falsely implicated and there is no incriminating material against them. Upon completion of investigation chargesheet has also been filed. He further submits that the principal accused being the husband of the *de facto* complainant has already been enlarged on bail. In the said conspectus, custodial interrogation of the petitioners is not warranted.

Having heard the learned advocates for the respective parties and considering the materials in the case diary, the nature of allegations, the injury report and the extent of

complicity of the petitioners in the alleged offence, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and circumstances of the instant case. As such prayer for anticipatory bail of the petitioners is allowed.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Rina Bibi, Rajful Bewa and Nurul Islam** shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- 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.

Accordingly, the application for anticipatory bail being CRM No.1066 of 2021, is disposed of.

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

(Bibek Chaudhuri, J.)

(Tapabrata Chakraborty, J.)