

21.09.2021

CRM 2136 of 2021

Court No.28
Item No.177
(Rejected)

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As

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Harishchandrapur Police Station Case No. 755 of 2020 dated 02.11.2020 under Sections 302/201/34 of the Indian Penal Code;

And

In the matter of : **Sumera Bibi & Anr.**

...Petitioners

Ms. Sujata Das.

...For the Petitioners.

**Ms. Zareen N. Khan,
Ms. Sreeparna Das.**

...For the State.

Apprehending arrest in connection with Harishchandrapur Police Station Case No. 755 of 2020 under Sections 302/201/34 of the Indian Penal Code, the petitioners have filed the instant application for anticipatory bail.

Learned Advocate for the petitioners submits that the aforementioned case has been initiated on the murder of father-in-law of the petitioner no. 1 and grandfather of the petitioner no. 2. It is submitted that the husband of the petitioner no. 1 and another son are already taken into custody and have not been released on bail as yet. It is thus submitted that once the charge sheet has been submitted, the custodial interrogation of the petitioners is not required at all.

Learned Advocate for the State opposes the prayer for anticipatory bail and submits that one of the witnesses has clearly indicated the specific role ascribed to the petitioners and the other two other co-accused, who had already been arrested in connection with the aforementioned case, and there is a clear evidence against them.

After hearing the respective submissions and on perusal of the materials available from the record including the statements of the witnesses recorded under Section 161 of the Code of Criminal Procedure making disclosure attributable to the conduct of the

petitioners, we do not find that it is a fit case where the petitioners should get immunity from arrest.

Accordingly, the prayer for anticipatory bail is rejected.

The application for anticipatory bail, being CRM 2136 of 2021 is thus **dismissed**.

(Harish Tandon, J)

(Bibek Chaudhuri, J.)