

CRM 2716 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kaliganj Police Station Case No.157 of 2020 dated 01-04-2020 under Sections 341/325/326/307/34 of the Indian Penal Code.

- A n d -

In the matter of : Sahanara Bibi @ Sahanara Molla & Ors.
.... Petitioners.

Mr. Dipanjan Chatterjee

... For the Petitioners.

Mr. Saibal Bapuli, learned APP,
Mr. Bibaswan Bhattacharyya

... For the State.

The petitioners are three out of several accused persons. The petitioners say that the incident was a fall out of village rivalry. There was a free fight between two groups. The victim suffered injury. A co-accused person, called Abbas, is the prime assailant. The scalp injury suffered by the victim is the result of the blow inflicted by Abbas.

Learned State advocate, in his usual fairness, admits that the prime accused is Abbas, who is in custody. Petitioner nos.1 and 3, who are ladies, joined in the free fight with empty hands. There is also no specific allegation of the petitioner no.2 inflicting any serious injury on the victim. Investigation is over. Charge Sheet has been submitted.

On an overall assessment of the material on record including the statements of witnesses recorded under Section 161 of the Code of Criminal Procedure and considering the nature and gravity of the alleged offence as well as the extent of complicity of the petitioners therein, and also since Charge Sheet has already been submitted, we are of the view that

immediate custodial interrogation of the petitioners is not necessary.

Accordingly, in the event of arrest, the petitioners, namely, **Sahanara Bibi @ Sahanara Molla, Manij Molla** and **Parvina Bibi**, shall be released on bail upon furnishing bonds of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer. The petitioners shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

In the event the petitioners fail to adhere to any of the conditions stipulated in Section 438(2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 2716 of 2021 is, thus, **allowed**.

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

(**Bivas Pattanayak, J.)**

(**Arijit Banerjee, J.)**