

09.11.2021

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Ct. No. 29

KAUSHIK

Partly

Allowed

C.R.M. 6537 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **733** of **2021** dated **15.07.2021** under Sections 498A/323/376/307/506/34 of the Indian Penal Code, 1860.

And

In Re : Mursheda Bibi @ Setara Bibi & Ors.

..... petitioners

Mr. Minoti Gomes

.....for the petitioners

Mr. Debabrata Chatterjee

Ms. Manisha Sharma

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners were falsely implicated. The complaint was lodged after the alleged incident.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim lady recorded under Section 164 of the Code of Criminal Procedure (Cr. P. C.) as also to the injury report.

Considering the statement recorded under Section 164 of the Code of Criminal Procedure, the injury report and the involvement of the petitioners, we are unable to grant

anticipatory bail to the petitioner no. 3 (Nurjjaba Sk. @ Md. Nurjaman Sk. @ Md. Nurjaban Sk.) and petitioner no. 5 (Sintu Sk.). We, however, grant anticipatory bail to the petitioner no. 1 (Mursheda Bibi @ Setara Bibi), petitioner no. 2 (Nousad Sk. @ Nausad Sk.) and petitioner no. 4 (Aminul Sk.).

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioner nos. 2 and 4 shall meet the investigating officer once in a month till the conclusion of the investigation and petitioner no. 1 will cooperate with the investigation and shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)

