

48 23.12.2021
(AD)
Court No.29
(Allowed)

**C.R.M. 8801 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Andal** P.S. Case No. **299 of 2021** dated **21/10/2021** under Sections **341/323/325/307/506/354/34** of the Indian Penal Code, 1860.

And

In the matter of: Bina Devi & Anr.

....petitioners.

Mr. Sourjya Das
Mr. Ayan Poddar

...for the petitioners.

Mr. Bidyut Kumar Roy
Ms. Sima Biswas

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners are lady members of a family. The petitioners were falsely implicated in a property dispute. The complaint was lodged 200 days after the alleged incident and that too 28 days after the order of injunction passed by the Civil Court in the suit filed by the petitioners as plaintiffs.

Learned Advocate appearing for the State draws the attention of the Court to the injury report.

Considering the fact that there is a civil suit pending between the private parties and considering the fact that the complaint was lodged 200 days after the incident and considering the nature of injuries and considering the fact that the petitioners are ladies, we grant anticipatory bail to the petitioners.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners will cooperate with the investigation and shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 8801 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)