

25.02.21 In re: An application for anticipatory bail under Section 438 of the
(S.R.) Code of Criminal Procedure filed in connection with **Murshidabad**
Sl.19 Police Station Case **No.527 of 2020** dated **16.10.2020** under Sections
Ct.28 **120(B)/302/506/34** of the Indian Penal Code, 1860;

And

In re: Parula Bibi & Ors.

... petitioners.

Mr. Ali Ashan Alamgir

... for the petitioners.

Mr. Ranabir Ray Chowdhury

Mr. Mainak Gupta

...for the State.

Leave is granted to the learned advocate for the petitioners to amend the cause title.

At the inception, the learned advocate for the petitioners submits that as the petitioner no.2 has already been arrested he is not pressing the application on behalf of the petitioner no.2. As such the application for petitioner no.2 is dismissed as not pressed.

The Learned advocate for the petitioners submits that the present case is filed on the basis of an application under Section 156(3) of the Code of Criminal Procedure and the present petitioners have been implicated only on the basis of apprehension relating to previous family dispute. He further submits that the petitioners are innocent and they have been falsely implicated in the instant case and they undertake to abide by any condition imposed by this Court in case their prayer is considered.

Mr. Ray Chowdhury, learned advocate appearing for the State draws attention of this Court to the post-mortem report as well the statements of witnesses under Section 164 of the Code of Criminal Procedure.

We have assessed the materials available in the case diary, more particularly, the statements of the witnesses which reflect regarding the complicity on the basis of some suspicion and the incriminating materials so appearing do not warrant custodial interrogation of the present petitioners. As such, the prayer for anticipatory bail of the petitioner nos.1,3,4,5,6 and 7 are allowed.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Parula Bibi, Sanuwara Bibi, Sakil Sk, Nasib Sk @ Nasid, Rejjak Sk @ Sk Rajjak and Rajib Sk** shall be released on 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 and a further condition that the petitioners namely, **Parula Bibi, Sanuwara Bibi, Sakil Sk, Nasib Sk @ Nasid, Rejjak Sk @ Sk Rajjak and Rajib Sk** shall meet the investigating officer once in a week on and from **1st March, 2021**, until further orders.

Accordingly, the application for anticipatory bail being CRM No.9201 of 2020, is allowed.

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

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)