

11.03.2021
Court No.28
Item No. 43
Krishnendu
Allowed

CRM 10923 of 2020
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : **Sahina Khatun & Anr.**

Petitioners

Mr. Debabrata Roy
Mr. Mani Sankar Chattopadhyay

For the Petitioners

Mrs. Faria Hossain
Mrs. Sonali Das

For the State

Apprehending arrest in connection with Raghunathpur P.S. Case No. 168 of 2019 dated 12.12.2019 under sections 341/326A/307/120B/34 of the Indian Penal Code, the petitioners have filed the present application.

Mr. Roy, learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated in this case. No overt act has been attributed to the petitioners. The principal accused, namely, Muntaj Ansary, has already been enlarged on bail. Upon completion of investigation, charge sheet has also been filed and as such custodial interrogation of the petitioners, who are the daughter and wife respectively of Muntaj Ansary, is not warranted in the facts and circumstances of this case.

The learned advocate appearing for the State opposes the petitioners' prayer for anticipatory bail and draws our attention to the injury report and other documents in the case diary.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case

diary, the extent of complicity of the petitioners in the alleged offence and since investigation has already been completed, we are of the opinion that custodial interrogation of the petitioners is not warranted in the facts and circumstances of this case. As such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Sahina Khatun and Jarina Bibi**, 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.

The application for anticipatory bail, being CRM No. 10923 of 2020 is, thus, disposed of.

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.)