

C.R.M. 11288 of 2020

Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kaliganj Police Station Case No. 481 of 2020 dated 09.10.2020 under section 447/325/326/354/307/34 of the Indian Penal Code.

**In re : Sabikun Khatun alias Chabina Bibi & Ors.
... Petitioners.**

Mr. Angsuman Chakraborty,
Mr. A. Mondal,
Mr. S. S. Sana ... for Petitioners.

Mr. S. G. Mukherjee,
Mr. Aniket Mitra ... for State.

The present application under Section 438 of the Code of Criminal Procedure, 1973 filed at the instance of Sabikun Khatun alias Chabina Bibi & Ors. is taken up for hearing and order.

It is submitted on behalf of the petitioners that the parties are neighbours and there was an altercation between the parties which led to a case and a counter case between them.

The State opposes the prayer for anticipatory bail and refers to the statement of witnesses and the injury report.

It appears that the petitioners were not the persons, who hit the blow upon the victim causing injuries. No specific overt act is attributable to the petitioners in the case diary and allegations against them are general and omnibus in nature. Regard being had to the extent of complicity of the petitioners in the alleged crime, we are inclined to hold that their custodial interrogation is not necessary and they may be granted anticipatory bail.

Accordingly, we direct that in event of arrest, the petitioners shall be released on anticipatory bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand) only 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.

The application for anticipatory bail is, accordingly, allowed.

C.R.M. 11288 of 2020 is disposed of.

(Arindam Sinha, J.)

(Suvra Ghosh, J.)