

01.02.2022
Item no. 45
Court No.32
Avijit Mitra

C.R.M.(A) 143 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Raiganj Police Station Case No.143 of 2014 dated 11.02.2014 under Sections 342/186/353/332/333/506/34 of the Indian Penal Code;

And

In Re : Tapasi Rani Sarkar & anr.

.... petitioners

Mr. Pronojit Roy

....for the petitioners

Mr. Swapan Banerjee,

Ms. Purnima Ghosh

..... for the State

Heard the learned lawyer for the petitioner as well as the learned lawyer representing the State. Perused the case diary. The investigation is pending. The genesis of this case date back to the 2014. Chargesheet was filed in the year 2014. The present petitioners are the wife and daughter of Nirmal Chandra Sarkar who was arrested and granted bail. Another co-accused, Nil Madhab Sarkar was granted bail on 30.10.2018. Since chargesheet has been filed, custodial detention is not necessary particularly, when other co-accused persons on bail and the present petitioners are female members. Therefore, we are inclined to allow anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners namely, **Tapasi Rani Sarkar and Nipa Sarkar @ Nipa Rani Biswas**, shall be released on bail upon furnishing a 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The petitioners shall attend the learned Trial Court on all the dates as specified for hearing.

The petitioners shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioners fail to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the petitioners' bail without any further reference to this Court.

The application for anticipatory bail being C.R.M.(A) 143 of 2022 is disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)