

08.03. 2022

Court No.32

rpan / 17

CRM (A) 523 of 2022

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

And

In Re.: **Tripti Rani Das** *alias* **Tripti Das**

- Petitioner

Mr. Susnigdho Bhattacharyya

... for the Petitioner.

Mr. Narayan Prasad Agarwala,

Ms. Subhasree Patel

... for the State.

Apprehending arrest in connection with Petrapole Police Station Case No.146 of 2021 dated 20.09.2021 under Sections 417/465/467/468/471 of the Indian Penal Code, 1860 and Section 14 of the Foreigners Act, 1946, the petitioner has filed the present application.

Mr. Bhattacharyya, learned advocate appearing for the petitioner submits that the allegations levelled against the petitioner are absolutely unfounded. She is an Indian citizen and is permanently residing at the address given in the cause title of the application. She has three minor daughters, who are residing along with her. Upon completion of investigation charge sheet has also been submitted and as such, her custodial interrogation may not be necessary. Answering our query, he submits that the husband of the petitioner was arrested and was subsequently enlarged on bail.

Ms. Patel, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to several documents in the case diary.

Heard the learned advocates appearing for the respective parties. Considering the materials in the case diary and bearing in mind the nature of accusations in the light of the submissions as advanced and in view of the fact that upon completion of investigation charge sheet has been submitted, we are of the opinion that custodial interrogation of the petitioner is not warranted, more so when she is a female family member, having three minor children and *prima facie*, there is also no possibility that she would flee from justice or delay the trial by abscondence.

Accordingly, we allow the application for anticipatory bail and direct that in the event of arrest, the petitioner, namely, **Tripti Rani Das** *alias* **Tripti Das** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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.

It is further directed that the petitioner shall attend the learned court below on all the dates specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to her bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 523 of 2022 is, thus, 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.)