

07.06.2022
Sl. No.61
akd
[ALLOWED]

C. R. M. (A) 2367 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 19.05.2022 in connection with Pursurah Police Station Case No. 46 of 2022 dated 29.03.2022 under Sections 448/323/325/307/354/379/506/34 of the Indian Penal Code.

And

In Re: ***Mithu Jana***

... .. Petitioner

Mr. Niladri Sekhar Ghosh
Ms. Srimoyee Mukherjee
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

... .. for the petitioner

Mr. Saibal Bapuli .. Ld. Addl. Public Prosecutor
Mr. Arijit Ganguly
Mr. Sanjib Kr. Dan

... .. for the State

It is submitted on behalf of the petitioner there are case and counter-case over the selfsame incident. There is considerable delay in lodging FIR.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Case and counter-case were registered over the selfsame incident. There is some delay in lodging the present case. Keeping in mind the aforesaid facts and as injuries transpiring from the injury report do not appear to be grievous or life-threatening, we are of the opinion custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case and she may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Mithu Jana***, be released on bail upon

furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 and on further condition that the petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)