

07.06.2022
Sl. No.70
akd
[ALLOWED]

C. R. M. (A) 2377 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 Balagarh Police Station Case No. 120 of 2021 dated 04.05.2021 under Sections 341/325/326/307/120B of the Indian Penal Code.

And

In Re: ***Sumona Debnath & Anr.***

... .. Petitioners

Mr. Arup Kumar Bhowmick

... .. for the petitioners

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

... .. for the State

It is submitted on behalf of the petitioners they are not named in the FIR and have been falsely implicated in the instant case.

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

We have considered the materials on record. Petitioners have not been named in the FIR. No specific allegation is attributed to the petitioners in the subsequent statements of witnesses also. Keeping in mind the extent of complicity of the petitioners in the alleged crime and as investigation is complete, we are of the opinion custodial interrogation of the accused/petitioners may not be necessary in the facts of the present case and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely ***(1) Sumona Debnath & (2) Rita Debnath***, 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 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 petitioners 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.)