

17.06.2022
cm/ct 28
sl no. 165

C.R.M.(A) 2862 of 2022

In Re : An application for Anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Santipur P.S. Case No. 438 of 2022 dated 07.05.2022 under Sections 376/417/323/506/34 of the Indian Penal Code, 1860.

And

Allowed

In Re : Sarifa Bibi & Ors.

..... petitioner

Mr. Swapan Kumar Mallick
Mr. Sabyasachi Mondal
Mr. A.S. Fazlul Karim
Mr. Sayan Mukherjee

..... for the petitioner

Mr. Asraf Mondal

..... for the State

Petitioners are relations of the principal accused who is in custody and they have been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Having considered the materials on record. Keeping in mind the extent of complicity of the petitioners in the alleged crime and as principal accused is in custody, we are of the opinion custodial interrogation of the petitioners may not be necessary and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- 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.

Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) No. 2862 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)