

01.07.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3084 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **1043** of **2021** dated **27.09.2021** under Sections 448/323/326/307/379/427/354 /34 of the Indian Penal Code, 1860.

And

In Re : Begam Bibi @ Begum Bibi & Ors.

..... petitioners

Mr. Mazahar Hossain Chowdhury

Ms. M. Alam

....for the petitioners

Mr. Joydeep Roy

Mr. Amanul Islam

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the present police complaint is a counter-blast to the previous complaint filed by the petitioner no. 2, inter alia, under Section 498A of the Indian Penal Code. The police filed charge-sheet and, therefore, custodial interrogation of the petitioners are not required.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case.

The claim of the petitioners that, the present police complaint is a counter-blast of the earlier police complaint of

the petitioner no. 2, inter alia, under Section 498A of the Indian Penal Code cannot be ruled out at this stage.

The police filed charge-sheet in the present police complaint.

In such circumstances, we grant anticipatory bail to the petitioners.

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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

