

9 01.08.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 3626 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Garfa** P.S. Case No.**191 of 2021** dated **04/10/2021** under Sections **341/323/302/34** of the Indian Penal Code.

And

In the matter of: Kajal Ghosh

....petitioner.

Mr. Arindam Jana
Mr. Rajesh Agarwal

...for the petitioner.

Mr. Sudip ghosh
Mr. Apurba Kumar Datta

...for the State.

Leave granted to the learned Advocate-on-record of the petitioner to correct the cause-title.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the death can be classified at the highest under Section 304 of the Indian Penal Code. The allegation as against the petitioner is of assaulting by fist and blows on the victim. Moreover, the petitioner is a lady. The male members were arrested by the police and were enlarged on bail by the jurisdictional Court.

Learned Advocate appearing for the State draws the attention of the Court to the First Information Report which was lodged by the victim himself.

Considering the fact that the persons who were arrested were enlarged on bail by the jurisdictional Court and considering the fact that the petitioner before us is a lady, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall 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 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 3626 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)