

08.08.2022
Serial no.8
Aloke

CRM (A) 3776 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Nandakumar Police Station Case No. 232 of 2022 dated 21.06.2022 under Sections 447/323/324/325/307/354/379/506/34 of the Indian Penal Code.

-And-

In the matter of : **Smt. Sandhyarani Nayaek & Ors.**

... .. Petitioners

Mr. Suman De, Advocate

... .. For the Petitioners

Mr. Anwar Hossain, Advocate

Mr. Arif Ekbal Molla, Advocate

... ...For the State

Mr. Saptarshee Kr. Kundu, Advocate

Mr. Raju Das, Advocate

... ... For the de facto complainant

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated.

Learned Advocate appearing for the State draws the attention to the injury report of the victim as well as the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and the other statements recorded under Section 161 of the Code of Criminal Procedure.

Learned Advocate appearing for the de facto complainant draws the attention to the nature of injuries suffered through photographs.

The petitioners apparently are not the principal persons who assaulted the victim. The first and second petitioners are ladies. The third petitioner is the neighbour.

In such circumstances, we are inclined to 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/- (Rupees Ten Thousand Only) 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 petitioner no. 3 shall meet the Investigating Officer once in a month till the conclusion of the investigation and petitioner nos. 1 and 2 will cooperate with the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 3776 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)