

18.01.2022

Court No.32
rpan/33

C.R.M. 8559 of 2021

In Re:- An application for anticipatory bail under section 438
of the Code of Criminal Procedure;

And

In re: **Rima Bhowmick**

- Petitioner

Mr. Sandipan Ganguly,
Mr. Debapratim Guha,
Ms. Anchita Sarkar
... for the Petitioner.
Mr. S. S. Imam,
Mr. S. Kundu
... for the State.

Apprehending arrest in connection with
Uttarpara Police Station Case No.75 of 2018 dated 30.01.2018
under Sections 436/452/307/506/120B of the Indian Penal Code,
the petitioner has filed the present application.

Mr. Ganguly, learned senior advocate appearing for the
petitioner submits that there was a dispute pertaining to a
development agreement between the petitioner's father and one S.
K. Builders and Developers Pvt. Ltd. of which the *de facto*
complainant was a director. The petitioner is the daughter of
Srikanta Bhowmick, who entered into the said development
agreement. No overt act has been attributed to the petitioner and
upon completion of investigation charge sheet has also been
submitted. In view thereof, custodial interrogation is not necessary,
as there is also no possibility that she would flee from justice.

Mr. Kundu, learned advocate appearing for the State opposes
the petitioner's prayer and draws our attention to the statement of

a witness, as recorded under Section 164 of the Code and the seizure list. He submits that there are incriminating materials on record against the petitioner.

Having heard the learned advocates and considering the materials in the case diary, including the statement of the witness as recorded under Section 164 of the Code, the nature of accusations and the extent of complicity of the petitioner in the alleged offence, we are of the opinion that custodial interrogation is not warranted. As such, prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest the petitioner, namely, **Rima Bhowmick** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is further directed that the petitioner shall attend the learned court below on all the dates specified for hearing and shall not tamper with the evidence and/or intimidate the witnesses in any manner whatsoever.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to cancel her bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM No. 8559 of 2021, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Ajoy Kumar Mukherjee, J.)

(Tapabrata Chakraborty, J.)