

25.02.2022

Court No.32
rpan/ **04**

C.R.M. 8940 of 2021

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

And

In re: **Tanuja Bibi & Another**

- Petitioners.

Mr. Ali Ahsan Alamgir,
Ms. Riya Das,
Ms. Rabia Khatoon
... for the Petitioners.

Mr. Navanil De
... for the State.

Apprehending arrest in connection with Hariharpara Police
Station Case No.421 of 2021 dated 11.10.2021 under Sections
448/325/308/34 of the Indian Penal Code, 1860, the petitioners
have filed the present application.

Mr. Alamgir, learned advocate appearing for the petitioners
submits that the petitioners have been falsely implicated in view of
previous enmity. Pertaining to the same incident the petitioner
no.1 herein also lodged a complaint. Upon completion of
investigation, charge sheet has also been submitted and as such,
custodial interrogation may not be necessary.

Mr. De, learned advocate appearing for the State opposes the
petitioners' prayer and draws our attention to the statements of the
witnesses as well as the medical reports.

Heard the learned advocates appearing for the respective
parties.

Considering the materials in the case diary, including the
medical reports and bearing in mind the nature of accusations in

the light of the submissions as advanced and in view of the fact that upon completion of investigation charge sheet has already been submitted, we are of the opinion that custodial interrogation of the petitioners is not necessary. As such, their prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Tanuja Bibi** and **Sajal Biswas @ Sajal Sk** shall be released on bail upon furnishing a bond of Rs.10,000/- **each** 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 petitioners 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 petitioners fail to comply with the aforesaid directions, without any justifiable cause, the learned court below shall be at liberty to cancel **their** bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM 8984 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.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)