

CRM 8946 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Mansura Bibi**

..... petitioner

Mr. Debabrata Roy

.....For the petitioner

Mr. Arabinda Manna

.....For the State

Apprehending arrest in connection with Sagar Police Station Case No. 303 dated 15.09.2021 under Sections 447/323/325/326/506/307/34 of the Indian Penal Code, the present application has been preferred.

Mr. Roy, learned advocate appearing for the petitioner submits that there was a land dispute between the two families and in the same the petitioner has been falsely implicated. The husband of the petitioner has already been enlarged on bail. No specific overt act has been attributed to the petitioner and in the said conspectus, custodial interrogation may not be necessary.

Learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the statements of the witnesses as well as the injury report.

Heard the learned advocates appearing for the respective parties.

Having considered the materials in the case diary and bearing in mind the nature of accusations and in view of the fact that *prima facie*, there is no possibility for the petitioner, who is a female family member, would flee from justice or delay the trial by abscondence, we are of the opinion that custodial interrogation is not necessary.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Mansura Bibi** 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 with a further condition that the petitioner shall cooperate with the investigation.

It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses. She shall also attend learned Court below on all the dates, as specified for hearing.

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 8946 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.

(Krishna Rao, J.)

(Tapabrata Chakraborty, J.)