

07.11.2022

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Ct. No. 29

S.D.

Allowed

C.R.M.(A) 5079 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Burwan** Police Station Case No. **143** of **2022** dated **17.5.2022** under Sections 448/323/325/506/308/34 of the Indian Penal Code and adding Section 304 of the Indian Penal Code.

And

In Re : Chumki Patua & Ors.

..... petitioners

Mr. Manas Kumar Das

....for the petitioner

Mr. Atif Ahmed Siddiqui

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioners submits that, the police filed charge sheet and, therefore, custodial interrogation of the petitioners was not required. Moreover, he points out that the petitioners are ladies. The other co-accused were granted anticipatory bail by the Jurisdictional Court.

Learned advocate for the State submits that subsequent to the other co-accused who enlarged on bail, some of them went to the house of the defacto complainant and threatened the defacto complainant to withdraw the police complaint.

In the facts of the present case, the police filed charge sheet and the petitioners before us are the ladies. The other co-accused were enlarged on bail by the Jurisdictional Court.

In such circumstances, we 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/- 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 further condition that the petitioners will cooperate with the Investigating Officer 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)