

29.11.2022

22

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5517 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** Police Station Case No. **404** of **2022** dated **25.07.2022** under Sections 447/323/325/326/354/379/34 of the Indian Penal Code, 1860.

And

In Re : Chumki Ghosh & Anr.

..... petitioners

Mr. Amitava Karmakar

Mr. Arup Kumar Bhowmick

....for the petitioner

Mr. N.P. Agarwal

Mr. M.F.A. Begg

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners are ladies. The police filed charge-sheet. One of the co-accused is on bail. Consequently, there is no need for custodial interrogation of the petitioners.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that, the injured suffered fracture along with wounds by a sharp cutting weapon.

Apparently, the police filed charge-sheet, inter alia, under Sections 447/323/324/325/354/34 of the Indian Penal Code, 1860 after conducting an investigation, inter alia, under

Sections 447/323/325/326/354/379/34 of the Indian Penal Code, 1860

In such circumstances, we grant anticipatory bail to the petitioners, since the fracture injury, apparently, caused by an instrument by a blunt material.

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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

