

22.12.2022
Serial no. 16
[Dd]
(Anticipatory Bail)
(**Partly Allowed**)

CRM (A) 5935 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **425** of **2022** dated **05.12.2022** under Sections **448/325/326/307/506/34** of the Indian Penal Code.

-And-

In the matter of : **Malekjan Bibi & Ors.**

... .. Petitioners

Mr. Asraf Mondal,
Mr. Bani Israil, Advocate
... .. *For the Petitioners*

Mr. Soumik Ganguly, Advocate
... ..*For the State*

The injured implicates the petitioner no. 3 in the assault. The injured suffered grievous hurt.

In such circumstances, we are not inclined to grant anticipatory bail to petitioner no. 3 (Naymuddin Sk. @ Naimuddin Sk. @ Naimad Sk.

So far as the other petitioners (i.e. petitioner no. 1 Malekjan Bibi, petitioner no. 2. Saddam Shaikh @ Jhuro, petitioner no. 4. Shabirun Bibi @ Obiran Bibi, petitioner no. 5. Jesmina Bibi @ Jasu Bibi and petitioner no. 6 Chhabina Sk. @ Chhubina Bibi) are concerned, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest petitioner no. 1 Malekjan Bibi, petitioner no. 2. Saddam Shaikh @ Jhuro, petitioner no. 4. Shabirun Bibi @ Obiran Bibi, petitioner no. 5. Jesmina Bibi @ Jasu Bibi and petitioner no. 6 Chhabina Sk. @ Chhubina Bibi shall be released on bail upon

furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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 petitioner nos. 2 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner nos. 1, 4, 5 & 6 shall cooperate with the investigation till its completion and on further condition that the petitioner nos. 1, 2, 4, 5 & 6. 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 petitioner nos. 1, 2, 4, 5 & 6 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **partly allowed.**

CRM (A) 5935 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)