

21.04.2023

Serial no. 10

[Dd]

(Anticipatory bail)

(Allowed)

CRM (A) 1683 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Hariharpara** Police Station Case No. **491** of **2022** dated **23.10.2022** under Sections **498A/326/307/34** of the Indian Penal Code with added Section **304B** of the IPC. Corresponding to G.R. Case no. 4636/2022)

-And-

In the matter of : **Ranjila Khatun @ Anjila Bibi**

... .. Petitioner

Mr. Ali Ahsan Alamgir,

Ms. Soma Mal,

Ms. Rabia Khatoon,

Ms. June Modak, Advocates

... .. *For the Petitioner*

Mr. Pravas Bhattacharya,

Mr. M.F.A Begg, Advocates

... ..*For the State*

Co-accused was enlarged on bail by the co-ordinate Bench on a finding that there were variations in the dying declarations.

Police filed charge sheet.

Petitioner apparently is also named in the dying declaration. However, as noted by the co-ordinate Bench, there are variations in the two dying declarations.

In such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 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 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 1683 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)