

06.07.2023

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Allowed

C.R.M. (A) No. 2758 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bhupatinagar Police Station Case No. 152 of 2023 dated 01.05.2023 under Sections 341/323/325/307/354/509/34 of the Indian Penal Code.

And

In Re : Jamuna Doloi petitioner

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
.....for the petitioner

Mr. Shiladitya Banerjee
.....for the State

It is submitted by the learned Counsel for the petitioner that there was an altercation between the parties over collection of drinking water.

Learned Counsel for the State opposes the prayer for bail.

We have considered materials on record including the injury report. Whether the injuries are life threatening may be assessed during trial. In view of the circumstances in which the incident occurred we are of the opinion custodial interrogation of the petitioner is not necessary and she may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 petitioner shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)