

05.12.2023
(A. 26)

C.R.M. (A) 4327 of 2023

Court No. 29

S. Banerjee
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Khanakul** Police Station Case No. **141 of 2023** dated **07.03.2023** under Sections **143/341/448/323/325/326/307/506/34** of the IPC and adding sections **302/120B of the IPC** corresponding to G.R.(E) Case No. **328 of 2023**.

And

In the matter of: **Farida Begum**

....petitioner

Mr. Abhra Mukherjee
Mr. Sauradeep Dutta
Mr. Arpayan Mukherjee
Mr. Swakshar Kumar Mondal

...for the petitioner

Mr. Rudradipta Nandy
Mr. Iqbal Kabir

...for the State

1. Heard learned Counsel for both the parties.
2. Admittedly there was land disputes between the parties and there is also statement of the deceased prior to her death where she has stated that the accused persons barged into her house and set her ablaze. In her such statement name of the present petitioner is not there. However, another witness, who is the husband of the deceased, in his statement under Section 164 of the Code of Criminal Procedure has taken the name of the present petitioner but no specific overt act has been attributed to the present petitioner by him.
3. Regard being had to the facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and

proper in the facts and circumstances of the case including the condition that:

- i) The petitioner is directed to appear before the I.O. as and when required on the day and time fixed by the I.O. for the purpose of investigation till submission of Final Form.
 - ii) The petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
 5. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
 6. Accordingly, the prayer for the anticipatory bail is allowed.
 7. The application being **CRM (A) 4327 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)