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[PARTLY
ALLOWED]

C. R. M. (A) 5095 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Goghat Police Station Case No. 358 of 2023 dated 27.10.2023 under Sections 341/509/504/506/323/325/326/34 of the Indian Penal Code.

In Re: ***Kazi Tohid & Ors.***

... ... Petitioners

Mr. Suman Chakraborty.

... ... for the petitioners

Mr. S. S. Imam, Jr. Govt. Adv.,

Mr. S. Kundu

... ... for the State

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioner No.1 misbehaved with the daughter of the de-facto complainant. When she protested petitioners assaulted his daughter and other family members. As a result they suffered serious injury.
3. Keeping in mind the nature of accusation and the principal role played by petitioner No.1, we are not inclined to grant anticipatory bail to him.
4. Accordingly, the prayer for anticipatory bail of petitioner No.1 is rejected.
5. Allegations against petitioner Nos.2 to 7 who are womenfolk in the family are general and omnibus. Hence, custodial interrogation of the said petitioners is not necessary and they may be granted anticipatory bail.
6. Accordingly, we direct that in the event of arrest, petitioner Nos.2 to 7 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and they shall appear before the court below and pray for regular bail within four weeks from date.

7. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)