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Allowed

IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri

C.R.M. (A) No. 938 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 725 of 2023 dated 24.09.2023 under Sections 341/307/34 of the Indian Penal Code.

And

In Re : Sarifa Khatun @ Jharima Khatun ..... petitioner

Mr. Anirban Banerjee

.....for the petitioner

Mr. Saikat Chatterjee

Mr. Kallol Nag

....for the State

1. Learned Counsel for the petitioner submits she is a lady. She is not the principal accused. She has been falsely implicated. She prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. We have considered the materials on record. Petitioner is a lady. Possibility of false implication in the case cannot be ruled out. Keeping in mind extent of complicity of the petitioner in the case we are of the opinion custodial interrogation of the petitioner is not necessary and she may be enlarged on anticipatory bail.

4. 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 she shall appear before the court below and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

**(Apurba Sinha Ray, J.)**

**(Joymalya Bagchi, J.)**