

09.04.2024

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S.D./A.D.
Allowed

C.R.M. (A) No. 1091 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Manickchawk Police Station Case No. 119 of 2024 dated 12.02.2024 under Sections 448/323/325/307/34 of the Indian Penal Code pending before the Court of learned Chief Judicial Magistrate, Malda.

And

In Re : Tusi Roy & Anr. petitioners

Mr. Amit Ranjan Pati
Mr. Sunayan Ghosh
Ms. Swastika Chowdhury
.....for the petitioners

Mr. Bitasok Banerjee
Mr. Dipankar Paramanick
....for the State

1. We have considered the materials on record.
2. It is contended there is a matrimonial suit between the petitioner no. 1 and her husband. Petitioner no. 2 is the son of petitioner no. 1. Injury report shows injuries are slight.
3. In view of the aforesaid facts, we are of the opinion custodial interrogation for progress of investigation is not necessary and the petitioners may be granted anticipatory bail.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.
5. Accordingly, we direct that in the event of arrest the petitioners shall 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition they shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)