

10.05.2024
Item No.9
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1641 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bidhannagar (E)** Police Station Case No. **92** of **2023** dated **05.08.2023** under Sections **120B/ 323/ 34/ 341/ 354/ 354(A)/354(B)/384/426/448/452/459/500/506/509** of the Indian Penal Code, pending before the Learned Sessions Judge in Charge, North 24 Parganas.

And

In the matter of : Kanchan Maity & anr.

..... petitioners

Mr. Imtiaz Ahmed,
Mrs. Ghazala Firdaus,
Mr. Mofakkerul Islam,
Mr. Sk. Saidullah,
Mr. Mithun Mondal,
Md. Arsalan,
Md. Bani Israil

....for the petitioners

Mr. Rana Mukherjee,
Md. Sayeed Khan

....for the State

Petitioners pray for anticipatory bail.

Apparently, there are disputes between the two neighbours. Apparently, an incident took place between the neighbours regarding parking of vehicle.

De facto complainant recorded her statement under Section 164 of the Criminal Procedure Code.

As to whether, the petitioners outraged the modesty of the de facto complainant may be decided at the trial.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) 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 further condition that the petitioners will report before the Investigating Officer once in a week till the conclusion of investigation and on condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1641 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)