

16.05.2024
Court No.08
Item No. 15

Allowed

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CRM (A) 1752 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Raghunathganj Police Station Case No. 676 of 2023 dated 13.08.2023 under Sections 498A/302/304(B)/34 of the Indian Penal Code and charge sheet filed under sections 498(A)/304(B)/306/34 IPC.

And

In Re: **Jhapani Ghosh**

Petitioner

Mr. Ayan Bhattacharya
Mr. Kunal Ganguly
Mr. Kaustav Banerjee

For the Petitioner

Mr. Madhusudan Sur, Id. APP
Ms. Mamata Jana,

For the State

1. The learned Counsel for the petitioner submits that the petitioner has been falsely implicated and the persons similarly placed as that of the petitioner namely her husband and son are presently on bail.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the earlier order of the coordinate Bench rejecting the prayer for bail of the petitioner and her husband. It is submitted that the nature of offence is serious and there has been no circumstantial change in circumstances.
3. Considering the material available in the case diary and the fact that the husband of the petitioner was granted a regular bail by the learned Trial Court subsequent to the order of rejection and the fact that charge-sheet has already

been filed and also having regard to the fact that the son of the petitioner has been granted regular bail in the meantime, we are of the view that custodial interrogation of the present petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner, **Jhapani Ghosh** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, subject to the satisfaction of Arresting Officer and shall comply with the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner shall appear before the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad, within two weeks from date and thereafter, shall attend on each and every date of hearing.
5. In default of compliance of any of the conditions, this order shall stand automatically recalled without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
7. CRM (A) 1752 of 2024 is, thus, disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J)

(Uday Kumar, J)