

25.06.2024  
SL No.47  
Court No.29  
(gc)  
(Partly Allowed)

**CRM (A) 1834 of 2024**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Tehatta Police Station Case No.358 of 2024 dated 17.05.2024 under Sections 323/325/354(B)/376/511/448/34 of the Indian Penal Code.

And

In the matter of : **Akbar Sekh @ Akbar Ali Shaikh & Ors.**

- Petitioners.

Mr. Arnab Chatterjee,  
Mr. Sourav Mukherjee,  
Ms. Poulami Bose

....For the Petitioners.

Ms. Sreyashi Biswas,  
Mr. Soumya Basu Roy Chowdhury  
... For the State.

1. The learned Counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the victim recorded under Section 164 of the Cr.P.C.
3. Pursuant to our earlier order, the statement of the children of the victim has been recorded by the learned Magistrate, Tehatta, Nadia on 18<sup>th</sup> June, 2024.
4. Considering the materials available in the case diary and the statement of the victim as well as the children of the victim directly implicating the petitioner no.1 in the commission of the

alleged offence, we are not inclined to grant anticipatory bail to the petitioner no.1.

5. However, the prayer for anticipatory bail of the other petitioners, i.e. petitioners nos.2 to 7 is allowed.
6. Accordingly, we direct that in the event of arrest, the petitioners Nos.2 to 7, namely, **Dildar Sekh @ Dildar Ali Sekh, Mintu Sekh @ Mintu Ali Shaikh, Ayesha Bibi, Sahida Bibi, Nurafiya Bibi @ Nurfia Bibi** and **Dolu Sekh @ Doulat Shaikh**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, 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. It is further directed that the petitioners nos.2, 3 and 7 shall meet the Investigating Officer once in a week till the submission of the final report and they shall not leave the jurisdiction of the district Nadia without express leave of the jurisdictional Court. It is also directed that the petitioners nos.2 to 7 shall appear before the learned ACJM, Tehatta, Nadia in connection with S.L. No.1020 of 2024 and pray for regular bail within two weeks from date and shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
7. Accordingly, the application for anticipatory bail is disposed of.

8. A photocopy of the statement of the children shall be kept in a sealed envelope with the record of the Court.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Soumen Sen, J.)**

**(Uday Kumar, J.)**