

28.06.2024
SL No.16
Court No.29
(gc)
(Allowed)

CRM (A) 1998 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Chapra Police Station Case No.02 of 2024 dated 03.01.2024 under Sections 306/34 of the Indian Penal Code.

And

In the matter of : **Najma Khatun @ Najma Bibi**

- Petitioner.

Mr. Sumanta Das

....For the Petitioner.

Mr. Rudradipta Nandy, Ld. A.P.P.,

Ms. Srilekha Chattopadhyay

... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and the father-in-law of the victim has been granted bail by the learned Sessions Judge, Nadia. It is further submitted that the daughter of the petitioner has been suffering from cancer since long and there is nobody in the house to take care of the daughter.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has produced the case diary and submits that there are incriminating materials as against the petitioner. The death was caused by poisoning.
3. Considering the materials available in the case diary and the nature and involvement of the petitioner in the commission of the alleged offence and having regard to the fact that the father-in-law has been granted bail and the charge-sheet has already

been filed, we are of the view that the custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Najma Khatun @ Najma Bibi** 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, 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 present accused petitioner shall appear before the learned Chief Judicial Magistrate at Krishnagar, Nadia in connection with G.R. No.2378 of 2024 within two weeks from date and shall pray for regular bail.
5. It is further directed that the petitioner shall appear on every date of hearing 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 petitioner in court including cancelling the anticipatory bail granted without further reference to this court.
6. Accordingly, the application for anticipatory bail is disposed of.
7. 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.)