

10.07.2024

Court No.29

Item No. 04

Allowed

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CRM (A) 2114 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Hirapur Police Station Case No. 282 of 2022 dated 25.07.2022 under Sections 341/342/323/325/307/379/427/506/34 of the Indian Penal Code read with under Section 25/27 of the Arms Act.

And

In Re: **Zeba Khatoon & Ors.**

Petitioners

Mr. Shekhar Barman

For the Petitioners

Mr. Saryati Dutta

Mr. Abhishek Verma

For the State

Mr. Syed Shahid Imam

Md. Khairul

For the De-facto Complainant

1. Heard the learned counsel for the parties.
2. Considering the materials available in the case diary, the nature of injury and the statement of the witnesses recorded under Section 161 Cr.P.C, we are of the view that custodial interrogation of the petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioners namely, **Zeba Khatoon, Parwez Khan @ Parwej Khan, Waqqar Yunus @ Md. Waqqar Yonos, Imroz Mallick @ Mohammad Imroz Alam and Mallick @ Gauhar Md. Gauhar Alam** 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, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in

Section 438(2) of the Code of Criminal Procedure, 1973. The **petitioner nos. 2, 3, 4 and 5** shall meet the Investigating Officer every fortnight or as and when called for till the submission of the final report. The **petitioner no. 1** shall cooperate with the investigation. The petitioners shall appear before learned Additional Chief Judicial Magistrate, Asansol, Paschim Bardhaman, within two weeks from date in connection with Hirapur Police Station Case No. 282 of 2022. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

4. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
5. 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)