

18.07.2024
SL No.23
Court No.29
(SSS)
(Allowed)

CRM (A) 2121 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Raninagar Police Station Case No.48 of 2024 dated 21.01.2024 under Sections 498A/326/307/506/34 of the Indian Penal Code and Sections 3 /4 of Dowry Prohibition Act, 1961 and adding Section 302 of the Indian Penal Code.

And

In the matter of : **Poli Bibi @ Rimpa Khatun and Anr.**

- Petitioners.

Md. Abdur Rakib,
Mr. Biswajit Sarkar

.....For the petitioners.

Ms. Amita Gaur,
Md. Sayeed Khan.

....For the State.

Mr. Nurnobi Seikh

....For the De facto Complainant.

1. Heard learned Counsel for the parties.
2. Learned Counsels for the de facto complainant and the State has not objected to the submission made on behalf of the petitioner and that the final charge sheet under Section 302 of the Indian Penal Code has not been added in so far as the present petitioner is concerned and he stands on the same footing as Nabab Khan. Claiming the parity with the accused Nabab Khan not being opposed by the State and the de facto complainant and having regard to the fact that the charge sheet

had already been filed, we grant anticipatory bail to the petitioner.

3. Accordingly, we direct that in the event of arrest, the petitioner No. 1, namely, **Poli Bibi @ Rimpa Khatun and petitioner No. 2, Rajesh Khan @ Rajesh Kha** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, 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. 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.
4. This anticipatory bail is, thus, allowed.
5. It is further directed that the petitioner nos.1 and 2 shall meet the Investigating Officer once in a week and shall not leave the jurisdiction of the Raninagar Police Station till the submission of the final report. It is further directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad in connection with G.R. Case No.253 of 2024 and pray for regular bail within two weeks from date.
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.)