

09.07.2024
SI No. 11
Court No.29
TN
(partly allowed)

CRM (A) 2164 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Chanchal Police Station Case No. 974 of 2022 dated 22.08.2022 under Sections 498A/323/308/376(2)(f)/506/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

And

In the matter of: **Biki Ali and others.**

- petitioners.

Mr. A. Chakraborty,
Mr. S. S. Saha,
Mr. S. Pakrashee

.... for the petitioners.

Mr. Binoy Kr. Panda,
Mr. Raju Mondal

... for the State.

1. By consent of parties, this application is taken up for consideration.
2. Considering the materials available in the case diary, the statement of the victim recorded under Section 164 of the Code of Criminal Procedure directly implicating the petitioner nos. 1, 2 and 5 and also injury report, we are not inclined to grant anticipatory bail to the petitioner **no. 1 (Biki Ali)**, petitioner **no. 2 (Manik Alam @ Manik)** and petitioner **no. 5 (Mir Lalchan @ Mir Lalchad Ali)**.
3. Accordingly, the prayer for anticipatory bail in respect of petitioner nos. 1, 2 and 5 is rejected.
4. However, we allow the prayer for anticipatory bail in respect of petitioner nos. 3 and 4.

5. Accordingly, we direct that in the event of arrest, the petitioner **no.3 (Abdul Rahim)** and petitioner **no. 4 (Anguri Bibi @ Gulsena Parveen)** 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.
6. It is further directed that the present accused petitioner nos. 3 and 4 shall appear before the learned Additional Chief Judicial Magistrate, Chanchal, Malda within two weeks from date and pray for regular bail.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)