

05.07.2024  
SL No.18  
Court No.29  
(gc)  
(Allowed)

**CRM (A) 2140 of 2024**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Kushmandi Police Station Case No.60 of 2024 dated 29.03.2024 under Sections 448/326/307/354/506/34 of the Indian Penal Code.

And

In the matter of : **Babita Chowdhury & Anr.**

- Petitioners.

Mr. Imtiaz Ahmed,  
Mr. Mazhar Hossain Chowdhury,  
....For the Petitioners.

Mr. Arindam Sen,  
Mr. Nirupam Dhali  
... 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 injury report and the statement of the injured.
3. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner in the commission of the alleged offence and the nature of injury suffered and also having regard to the fact that 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 petitioners, namely, **Babita Chowdhury** and **Bimal Chowdhury**, 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 shall appear before the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur in connection with G.R. Case No.295 of 2024 and pray for regular bail within two weeks from date.

5. Accordingly, the application for anticipatory bail is disposed of.
6. 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.)**