

05.07.2024

Court No.29

Item No. 29

Allowed

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CRM (A) 2151 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ratua Police Station Case No. 214 of 2023 dated 01.05.2023 corresponding to G.R. Case No. 1163 of 2023 under Sections 143/325/307/120B of the Indian Penal Code.

And

In Re: Nasiman Bibi @ Ferdoshi Khatun

Petitioner

Mr. Mrityunjoy Chatterjee

Mr. Imdodul Haque

For the Petitioner

Mr. Arnab Chatterjee

Mr. Abhinaba Mukherjee

For the State

1. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated.
2. Learned counsel for the State has opposed the prayer for anticipatory bail.
3. Considering the materials available in the case diary and having regard to the fact that specific involvement of the petitioner in the alleged offence does not reveal from the case diary and that the all the accused persons are on bail and the fact that the charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Nasiman Bibi @ Ferdoshi Khatun** 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, 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 Proceldure, 1973 and on further condition

that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Chanchal at Malda corresponding to G.R. Case No. 1163 of 2023 within two weeks from date and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioner shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. 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.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
6. 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)