

05.07.2024
SL No.37
Court No.29
(gc)
(Allowed)

CRM (A) 2159 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Raniganj Police Station Case No.473 of 2023 dated 09/11/2023 under Sections 94/441/352/354(B)/377/308/379/506/34 of the Indian Penal Code.

And

In the matter of : **Alpana Tewary @ Joba & Ors.**

- Petitioners.

Mr. Kunal Ganguly

....For the Petitioners.

Mr. Sandip Chakraborty,

Mr. Debanshu Ghorai

... 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 opposes the prayer for anticipatory bail.
3. Considering the materials available in the case diary, the nature of injury alleged to have been suffered by the de facto complainant and the statement of the victim recorded under Section 164 of the Cr.P.C. read with the medical injury report wherefrom it appears that no injury appears to have been found from the person of the victim lady and all other co-accused persons are on bail, we are of the view that the custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Alpana Tewary @ Joba, Rinku Tewary, Somnath Tewary** and **Roni Tewary**, 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 petitioner nos.3 and 4 shall meet the Investigating Officer once in a week till the submission of the final report and the petitioner nos.1 and 2 shall cooperate with the investigation and the petitioners shall not leave the jurisdiction of village Sarama without the leave of the Investigating Officer till the submission of the final report. It is also directed that the petitioners shall appear before the learned Chief Judicial Magistrate, Paschim Bardhaman, Asansol in connection with G.R. Case No.3217 of 2023 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.)