

05.07.2024
Court No.29
Item No. 72

Allowed

sg

CRM (A) 2194 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Paikar Police Station Case No. 88 of 2024 dated 27.03.2024 under Sections 302/34 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum.

And

In Re: **Rubina Khatun @ Rubi Khatun**
Petitioner

Mr. Jahangir Hossain	
	For the Petitioner
Mr. Rudradipta Nandy	
Mr. Arup Sarkar	For the State

1. The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the case diary and statement of the family members of the victim, the post mortem report.
3. Considering the materials available in the case diary and the postmortem, which shows that the victim died due to natural cause and the fact that the statement of the relatives of the victim does not directly implicate the petitioner and moreover, Asfarul Sk, against whom specific allegation has been made has been recently enlarged on bail, we are of the view that custodial interrogation of the present petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest the petitioner namely, **Rubina Khatun @ Rubi 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, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and the petitioner shall cooperate with the investigation. The petitioner shall appear before the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum, in connection with G.R. Case No. 454 of 2024 within two weeks from date.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. CRM (A) 2194 of 2024 is, thus, disposed of.
7. 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.)