

15.07.2024

Court No.29

Item No. 47

**Partly
Allowed**

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CRM (A) 2396 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Gangarampur Police Station Case No. 292 of 2024 dated 09.06.2024 corresponding to G.R Case No. 622 of 2024 under Sections 498A/494/323/307/34 of the Indian Penal Code.

And

In Re: **Alimuddin Mia @ Abdul Ajjij Mia @ Alimaddin Mia & Anr.**

Petitioners

Ms. Busra Khatun

For the Petitioners

Mr. Kaushik Biswas

Mr. Arup Sarkar

For the State

1. Heard the learned counsel for the parties.
2. Learned counsel for the State submits that the petitioner no. 1 has been arrested during the pendency of the proceeding. Accordingly, the prayer for anticipatory bail in respect of **petitioner no. 1, Alimuddin Mia @ Abdul Ajjij Mia @ Alimaddin Mia**, stands dismissed as withdrawn.
3. We have perused the case diary.
4. Considering the materials available in the case diary and the nature and extent of complicity of the petitioner no. 2 in the commission of the alleged offence, we are of the view that custodial interrogation of the **petitioner no. 2, Nachhamun Bibi @ Najmun Bibi** is not necessary.
5. Accordingly, we direct that in the event of arrest, the **petitioner no. 2, Nachhamun Bibi @ Najmun Bibi** 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 Procedure, 1973 and on further condition that the **petitioner no. 2** shall appear before the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur, corresponding to G.R Case No. 622 of 2024 within two weeks from date.

6. Accordingly, the prayer for anticipatory bail of the **petitioner no. 2** is allowed and the application is accordingly 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)