

24.07.2024
SL No.24
Court No.29
(gc)
(Allowed)

CRM (A) 2450 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure read with Section 482 of BNSS, 2023 filed in connection with Balurghat Police Station Case No.437 of 2024, dated 08.06.2024 under Sections 417/376/313/34 of the Indian Penal Code.

And

In the matter of : **Sribala Sarkar**

- Petitioner.

Mr. Kaushik Choudhury,
Ms. Busra Khatoon

....For the Petitioner.

Mr. R.R. Chowdhury, Sr. Govt. Adv.,
Mr. Rajesh Jana

... For the State.

1. The affidavit of service filed in Court today is taken on record.
2. In spite of service, the victim is not represented.
3. The learned Counsel for the petitioner submits that the petitioner is the mother of the principal accused who is presently in custody.
4. The learned Counsel for the State has produced the case diary.
5. Considering the materials available in the case diary, the statement of the victim recorded under Section 164 of the Cr.P.C. which directly implicates the principal accused and does not refer to the present petitioner, we are inclined to grant anticipatory bail to the petitioner.
6. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sribala Sarkar**, shall be released on bail upon

furnishing a bond of Rs.5,000/-, with two registered sureties of like amount each, 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 and shall cooperate with the investigation till the submission of the final report.

7. It is further directed that the present accused petitioner shall appear before the learned Chief Judicial Magistrate, Dakshin Dinajpur in connection with G.R. Case No.1072 of 2024 within two weeks from date.
8. Accordingly, the application for anticipatory bail is disposed of.
9. 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.)