

**24.07.2024**

Court No.29

Item No. 42

**Allowed**

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## **CRM (A) 2477 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. 670 of 2023 dated 01.12.2023 corresponding to G.R Case No. 3807 of 2023 under Sections 448/325/326/302/120B/34 of the Indian Penal Code.

And

**In Re: Mina Yadav @ Mina Jadab & Ors.**

Petitioners

Mr. B. Bhattacharya

Mr. S. Mukherjee

Mr. Saptarshee Pakrashy

For the Petitioners

Mr. Debabrata Chatterjee

Ms. Paramita Sahu

For the State

1. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the instant case. It is submitted that co-accused persons Laxmi Yadav and Chandana Yadav were released on interim bail on 24<sup>th</sup> June, 2024 by the learned Sessions Judge, Chanchal. The principal accused persons, namely, Bigen Yadav, Chandrika Yadav and Sadananda Yadav have already been arrested and they are still in custody.
2. Learned counsel for the State has produced the case diary. It is submitted that the name of the petitioners have also been transpired from the statement recorded under Section 164 Cr.P.C.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and it appears from the statement under Section 164

Cr.P.C that the allegation against the petitioners are omnibus and no specific avert act has been ascribed against the petitioners and the fact that charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Mina Yadav @ Mina Jadab, Sumati Yadav @ Simati Ghosh and Pratima Yadav @ Pratima Jadab** shall be released on bail upon furnishing a bond of Rs.10,000/-each, with two registered 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 petitioners shall appear before the learned Additional Chief Judicial Magistrate, Chanchal, Malda corresponding to G.R Case No. 3807 of 2023 within two weeks from date and the petitioners shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioners 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 petitioners 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)

