

24.07.2024

Court No.29

Item No. 45

**Partly
Allowed**

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CRM (A) 2480 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Rampurhat Police Station Case No. 167 of 2024 dated 15.05.2024 corresponding to G.R Case No. 790 of 2024 under Sections 441/323/325/354/307/34 of the Indian Penal Code.

And

In Re: **Kajal Dhibar @ Kajol Dhibar & Ors.**

Petitioners

Mr. Rajendra Banerjee

For the Petitioners

Mr. Baisali Basu

Mr. Suchit Talukdar

For the State

1. Heard the learned counsel appearing for the parties.
2. Learned counsel for the State has produced the case diary.
3. Considering the materials available in the case diary, the nature of involvement of the petitioner nos. 2 and 3 in the commission of the alleged offence that had resulted in serious injury on the body of the victim, we are not inclined to grant anticipatory bail to the **petitioner no. 2, Pintu Dhibar** and the **petitioner no. 3, Sasthi Dhibar**. However, considering the nature and extent of complicity of the petitioner no. 1 in the commission of the alleged offence and having regard to the fact that charge-sheet has already been filed, we are of the view that custodial interrogation of the **petitioner no. 1, Kajal Dhibar @ Kajol Dhibar** is not necessary.
4. Accordingly, we direct that in the event of arrest, the **petitioner no. 1, Kajal Dhibar @ Kajol Dhibar** 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. 1** shall appear before the learned Additional Chief Judicial Magistrate, Rampurhat, Birbhum corresponding to G.R Case No. 790 of 2024 within two weeks from date and the **petitioner no. 1** shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the **petitioner no. 1** 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 **petitioner no. 1** is allowed, however, the prayer for anticipatory bail of the **petitioner nos. 2 and 3** stand rejected and the application 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)