

Court No. 29
(266041)

CRM (A) 2528 of 2024

29.07.2024

(AD 53)

(S. Banerjee)

(Allowed)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Dadpur Police Station Case No. 222 of 2023 dated 09.09.2023 under Sections 341/324/326/307/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Chinsurah, Hooghly.

And

In the matter of: Rani Karmakar

...petitioner

Mr. Uday Sankar Chattopadhyay
Ms. Payel Som
Ms. Aishwarya Datta

... for the petitioner

Mr. Bitashok Banerjee
Ms. Debalina Das

... for the State

1. Leave is granted to correct the sections mentioned in the description of the matter in course of the day.
2. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated due to previous grudge.
3. Learned advocate for the State has produced the case diary and opposes the prayer for anticipatory bail.
4. Considering the statement of the victim recorded under Section 161 Cr.P.C., which directly implicates Subhash Karmakar as the principal accused, and having regard to the nature of the injury sustained, we are of the view that custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioner 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 the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner shall meet the IO once in a week or as and when required. The petitioner shall not leave the jurisdiction of the concerned police station till the submission of the final report.
6. It is further directed that the present petitioner shall appear before the learned Chief Judicial Magistrate, Chinsurah, Hooghly within two weeks from date and pray for regular bail.
7. It is further directed that the petitioner shall appear on every date before the jurisdictional court on and from the date fixed for appearance of the accused and in default the jurisdictional court will pass appropriate order to secure presence of the petitioners in court including canceling the anticipatory bail granted without further reference to this court.
8. Accordingly, the application for anticipatory bail is allowed.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this court.

(Uday Kumar, J.)

(Soumen Sen, J.)