

05.08.2024

Court No.29

Item No.18

Allowed

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CRM (A) 2584 of 2024

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, 2023 in connection with Jagaddal Police Station Case No. 229 of 2024 dated 29.06.2024 corresponding to G.R Case No. 4379 of 2024 under Sections 448/323/325/302/34 of the Indian Penal Code.

And

In Re: **Parmila Rajak @ Pramila Devi Rajak**

Petitioner

Mr. Subhajit Chowdhury

For the Petitioner

Ms. Sonali Das

Mr. Debanik Das

For the State

1. Learned counsel for the petitioner submits that the petitioner is innocent and she is no way connected with the alleged offence.
2. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the post-mortem report and the statement of the independent witnesses recorded under Section 161 Cr.P.C.
3. Considering the materials available in the case diary, the post-mortem report which shows that the death was due to bronco pneumonia and none of the independent witnesses made any specific allegation of assault that had caused fracture against the petitioner, we are of the view that the custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Parmila Rajak @ Pramila Devi Rajak** be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, 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. The petitioner shall cooperate with the investigation till the submission of the final report and on further condition that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Barrackpore within two weeks from date. 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 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)