

02.08.2024
Court No.29
Item No. 36

Allowed

sg

CRM (A) 2620 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Chanchal Police Station Case No. 565 of 2024 dated 07.06.2024 under Sections 341/326/308 of the Indian Penal Code, pending before the learned Sessions Judge, Malda.

And

In Re: **Mano Bibi & Anr.**

Petitioners

Ms. Jenifar Alam Megha
Mr. Tirupati Mukherjee

For the Petitioners

Mr. Debasis Roy, Ld. PP
Mr. Bidyut Kr. Roy

For the State

1. The learned Counsel for the petitioners submits that due to family dispute over cultivation right, the petitioners have been falsely implicated.
2. The learned Public Prosecutor has produced the case diary and has referred to the statement of the injured.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of alleged offence and having regard to the fact that there has been no specific overt act attributed to the petitioners, we are of the view that custodial interrogation of the present petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest the petitioners, **Mano Bibi and Rani Khatun @ Rani Parvin** shall be released on bail upon furnishing

a bond of Rs.5,000/- each, with two registered sureties of like amount each, to the satisfaction of the Arresting Officer and also be 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 and on condition that the petitioners shall cooperate with the investigation.

5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
6. CRM (A) 2620 of 2024 is, thus, disposed of.
7. 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.)