

19.8.2024
SL Nos. 9
Ct No. 29
SB

CRM (A) 2624 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure / Section 482 of B.N.S.S. Act, 2023 filed in connection with Lalgola Police Station Case No. 284 of 2024 dated 13.4.2024 under Sections 448/326/307/34 of Indian Penal Code.

And

Kamal Sk. & Ors.

Vs.

The State of West Bengal & Anr.

Mr. Omar Faruk Gazi

Ms. Susmita Das

Mr. Abhishek Thikadar

... for the Petitioners

Ms. Faria Hossain

Ms. Debjani Sahu

... for the State

Mr. Mijanul Kabir

Md. Wasim Akram

Mr. Najimul Chowdhury

... for the de facto complainant

1. Heard the learned advocates for the parties.
2. Considering the materials available in the case diary and the statement of the victim recorded under Section 164 of the Code of Criminal Procedure which directly implicating the petitioner nos. 1, 2 & 4 of physical assaulting her with weapons and having regard to the injury report which appears to be grievous in nature, we are not inclined to grant anticipatory bail to petitioner nos. 1,2 & 4. However, there is no incriminating materials against the petitioner no. 3 we are of the view that custodial interrogation of the petitioner no. 3 is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioner namely, Sarola Bibi @ Sarula Kahtoon shall be released on bail upon furnishing a bond of Rs.10,000/- 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.

4. It is further directed that the petitioner no. 3, Sarola Bibi @ Sarula Kahtoon shall appear before the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad in connection with G.R. Case No. 240 of 2021 within two weeks from date and pray for regular bail.
5. In default the Jurisdictional Court will pass appropriate order to secure the presence of the petitioner no. 3, Sarola Bibi @ Sarula Kahtoon in Court including cancelling the anticipatory bail granted without further reference to this Court
6. Accordingly, the application for anticipatory bail is partly allowed and disposed of.
7. The presence of the investigating officer is noted and dispensed with.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)