

22.08.2024
Court No.29
Item No. 4

Partly Allowed
sg

CRM (A) 2722 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 Raiganj Police Station Case No. 67 of 2024 dated 22.07.2024 under Sections 498A/414/323/307/34 of the Indian Penal Code and sections 3/4 of D.P. Act, pending before the learned Additional Chief Judicial Magistrate, Raiganj, Uttar Dinajpur.

And

In Re: **Rita Rani Bhowmick & Anr.**

Petitioners

Mr. Ratan Das

For the Petitioners

Mr. Iqbal Kabir
Ms. Trisha Rakshit

For the State

Mr. Soham Banerjee

For the victim

1. We have heard the learned Counsel for the parties.
2. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner no.2 in the commission of alleged offence and the statements of the victim and the neighbours implicating the husband, we are not inclined to grant anticipatory bail to the petitioner no.2. However, having regard to the nature of involvement of the petitioner no.1 in the commission of alleged offence, we are of the view that the custodial interrogation of the petitioner no.1 is not required.
3. Accordingly, we direct that in the event of arrest the petitioner no.1 namely, **Rita Rani Bhowmick**, 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 Arresting Officer, subject to conditions as laid

down under Section 438(2) of the Code of Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita. The petitioner no. 1 shall cooperate with the investigation. The petitioner no.1 shall appear before the learned Additional Chief Judicial Magistrate, Raiganj, Uttar Dinajpur within two weeks from date.

4. In the event the petitioner no.1 fails to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel her bail in accordance with law without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioner no.1 is allowed and the prayer for anticipatory bail of the petitioner no.2 is rejected.
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.)