

12.08.2024
Court No.29
Item No. 38

Allowed

sg

CRM (A) 2751 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of Bhartiya Nagrik Suraksha Sanhita, in connection with Kandi Police Station Case No. 166 of 2024 dated 28.03.2024 under Sections 448/325/326/307/379/427/34 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad.

And

In Re: **Santana Bibi @ Santana Khatun**
Petitioner

Mr. Jannat ul Firdous

For the Petitioner

Mr. Arnab Chatterjee

Mr. Rahul Ganguly

For the State

1. Claiming parity with the co-accused persons namely, Homda Bibi @ Hamedha Bibi & Anr., who have been granted anticipatory bail in CRM(A) 1688 of 2024 on 16th May, 2024, a prayer for anticipatory bail is made. Moreover, the charge sheet has been filed in the meantime.
2. The said prayer is not opposed by the learned Counsel for the State.
3. Under such circumstances, we are of the view that the custodial interrogation of the present petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the present petitioner, namely, **Santana Bibi @ Santana Khatun** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad 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 and on further condition that the petitioner shall appear on each and 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 the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
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.)