

12.08.2024

Court No.29

Item No.55

Allowed

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CRM (A) 2768 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 Chapra Police Station Case No. 570 of 2024 dated 07.06.2024 corresponding to G.R Case No. 2996 of 2024 under Sections 341/324/325/326/506/34 of the Indian Penal Code.

And

In Re: Sakila Mondal @ Sakila Bibi

Petitioner

Mr. Sumanta Das

For the Petitioner

Mr. Manoranjan Mahata

For the State

1. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated. It is submitted that the allegation of assault is against the husband of the petitioner and she was not present at the time of alleged incident.
2. Learned counsel for the State has produced the case diary and refers to the statement of the injured and the medical examination report.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and the circumstances under which the said incident took place and also having regard to the nature of the injury which although on the vital part of the body but did not result any fracture and no obvious bone injury was visible, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sakila Mondal @ Sakila Bibi** 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, 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 meet the Investigating Officer once in a week till the submission of the final report and on further condition that the petitioner shall appear before the learned Chief Judicial Magistrate, Krishnagar at Nadia, corresponding to G.R Case No. 2996 of 2024, 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)