

02.09.2024
Court No.29
Item No. 27

Allowed
sg

CRM (A) 2918 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 Khanakul Police Station Case No. 328 of 2024 dated 26.06.2024 under Sections 498A/304B/406 of the Indian Penal Code, pending before the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly.

And

In Re: **Sk. Sakil Uddin & Ors.**

Petitioners

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Mr. Sourav Mondal
Ms. Labani Sikdar
Mr. Rony Mondal

For the Petitioners

Mr. Binay Kumar Panda
Mr. Abhinaba Mukherjee

For the State

1. The petitioner no.1 is the brother-in-law and the petitioner no.3 is the mother-in-law of the victim and the petitioner no.2 is the wife of petitioner no.1. It is submitted that the petitioners are innocent and have been falsely implicated.
2. The learned Counsel for the State, in opposing the prayer for anticipatory bail, has referred to the statements of the de-facto complainant and the neighbours recorded under Section 161 of the Code of Criminal Procedure.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and having regard to the contents of the police complaints read with the statements recorded under Section 161 of the Code of Criminal Procedure which directly implicate the husband of the victim and also having regard to

the nature of allegations amongst others are omnibus in nature, 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 namely, **Sk. Sakil Uddin, Jyoti Begam @ Sahina Saharin and Rokiya Begum**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of the 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 meet the I.O. once in a week till the submission of final report and the petitioner nos. 2 and 3 shall cooperate with the investigation. The petitioners shall appear before the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly within two weeks from date.
5. In the event the petitioners fail to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
7. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Shampa Dutt (Paul), J.)