

05.09.2024
AD-05
Court No.29
TN
(Allowed)

CRM (A) 2924 of 2024

In Re:- An application under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Jalangi Police Station Case No. 209 of 2024 dated 30.06.2024 under Sections 363/365/34 IPC, 1860.

And

In the matter of: **Mojela Bewa @ Majela Bibi**

.... petitioner

Mr. Arnab Chatterjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bose

....for the petitioner

Mr. Antarikhya Basu,
Mr. Sobhan Gani

....for the State

1. The petitioner is the grandmother of the principal accused aged about 66 years.
2. The victim is not recovered.
3. However, the parents of the principal accused are in custody.
4. Considering the materials available in the case diary and having regard to the fact that the statement recorded under Section 164 of the Code of Criminal Procedure of the *de facto* complainant and the neighbours are omnibus in nature, we are of the view that the custodial interrogation of the petitioner is not necessary.
5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Mojela Bewa @ Majela Bibi** shall be released on bail upon furnishing a bond of Rs.2,500/-, with

two registered sureties of like amount each, 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, corresponding to Section 482(2) of the BNSS, 2023.

6. The petitioner shall meet the Investigating Officer as and when required following the norms of the female accused.
7. It is further directed that the present accused petitioner shall appear before the learned Chief Judicial Magistrate at Berhampore, Murshidabad within two weeks from date.
8. Accordingly, the application for anticipatory bail is disposed of.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Shampa Dutt (Paul), J.)