

30.08.2024
SL No.32
Court No.29
(gc)
(Allowed)

CRM (A) 2981 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 filed in connection with Tamluk Police Station Case No.602 of 2024 dated 15.07.2024 under Sections 126(2), 118(2), 109, 3(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : **Sahamin Bibi**

- Petitioner.

Mr. Amitava Karmakar,
Mr. Arup Kr. Bhowmick

....For the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Eshita Dutta

... For the State.

1. The petitioner is the wife of the principal accused. It is submitted that the petitioner is innocent and she has been falsely implicated.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the case diary, the statement of the injured and the injury 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 having regard to the fact that Sk. Abdul Hakim appears to have inflicted physical assault that had resulted in multiple injuries on the body of the injured and the allegation against the petitioner is omnibus in nature, 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, **Sahamin Bibi**, 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 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. It is directed that the petitioner shall cooperate with the investigation till the submission of the final report.

5. It is further directed that the petitioner shall appear before the learned Chief Judicial Magistrate, Purba Medinipur at Tamluk in connection with G.R. Case No.2404 of 2024 within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)