

05.09.2024
AD-52
Court No.29
TN
(Allowed)

CRM (A) 3117 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 Bharatpur Police Station Case No. 104 of 2024 dated 27.04.2024 under Sections 341/325/326/307/506/286/34 of the IPC and Section 9B of the I.E. Act.

And

In the matter of: **Angura Bibi and others**

.... petitioners

Mr. Kallol Kr. Basu,
Md. Jannat Ul Firdous

....for the petitioners

Md. Hafiz Ali

....for the *de facto* complainant

Mrs. Rituparna De Ghose,
Ms. Srilekha Chattopadhyay

....for the State

1. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated. It is further submitted that due to previous grudge, this false complaint has been lodged.
2. The learned counsel for the State and the *de facto* complainant in opposing the prayer have referred to the orders passed by the coordinate Benches in connection with the bail application of three of the accused persons and submit that the present petitioners along with others have hurled bombs and caused grievous injuries to the *de facto* complainant.
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 statement of various witnesses and the case records which show that Taher Sk appears to be the principal accused from whom five live bombs have been recovered while Taher was in custody and all the co-accused persons have been enlarged on bail and no overt act has been alleged against the present petitioners and that the charge sheet has already been filed, we are of the view that the custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Angura Bibi, Apela Bibi and Munai @ Mumai Sk** respectively shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, 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.
5. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad within two weeks from date.
6. It is further directed that the petitioner shall appear each and every date of hearing 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 presence of the petitioner in court including cancelling

the anticipatory bail granted without further reference to this court.

7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)