

11.09.2024
SL No.14
Court No.29
(gc)
(Allowed)

CRM (A) 3218 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 Kirnahar Police Station Case No.76 of 2024 dated 22.06.2024 under Sections 448/302/34 of the Indian Penal Code.

And

In the matter of : **Reshmi Bibi & Anr.**

- Petitioners.

Mr. Arnab Chatterjee,
Mr. Prasun Mukherjee,
Ms. Sneha Srivastava

....For the Petitioners.

Mr. Joydeep Roy, Ld. Jr. Govt. Adv.,
Ms. Rajnandini Das

... For the State.

1. The petitioners are the relations of Rakesh who happens to be the neighbour of the deceased. On a complaint being lodged by the father of the victim implicating amongst others Rakesh, bail was granted to Rakesh and the husband of the victim was granted anticipatory bail. Thereafter, the husband of the deceased lodged an FIR without disclosing the earlier FIR in which Rakesh and the present two petitioners have been named as accused.
2. The learned Counsel for the State has submitted that all the witnesses have given statement implicating the de facto complainant of the present case, namely, the husband.
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 taking into consideration the aforesaid

background facts, we are of the view that custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Reshmi Bibi** and **Sabina Khatun**, shall be released on bail upon furnishing a bond of Rs.5,000/- each, 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 and on further condition that the petitioners shall meet the I.O. as and when required following the norms applicable to the female accused till the submission of the final report.
5. It is further directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Bolpur, Birbhum in connection with G.R. Case No.791 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.)

(Prasenjit Biswas, J.)