

18.09.2024
Court No.29
Item No. 29

Allowed

sg

CRM (A) 3341 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 Act, in connection with Serampore Police Station Case No. 80 of 2018 dated 17.02.2018 under Sections 342/302/506/34 of the Indian Penal Code.

And

In Re: **Mithu Singh**

Petitioner

Mr. Sabyasachi Mukherjee
Mr. Mrinmoy Nandy
Ms. Ankita Nandi

For the Petitioner

Mr. Madhusudan Sur
Mr. Arka Chakraborty

For the State

1. We have heard the learned Counsel for the parties.
2. Considering the materials available in the case dairy, the statement of the victim before she died in which she has made specific allegations against one Prabhash Singh along with his elder brother Sanjay Singh and his wife and also having regard to the facts that the case diary does not prima facie reveal any involvement of the present petitioner in the commission of alleged offence, we are of the view that the custodial interrogation of the petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest the petitioner namely, **Mithu Singh**, shall be released on bail upon furnishing a bond of Rs.5,000/-, with two registered sureties of like amount each, to the satisfaction of Arresting Officer, subject to the 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 and subject to further condition that the petitioner shall appear before the trial court within two weeks from date and thereafter shall appear on each and every date of hearing until further orders.

4. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel her bail in accordance with law without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)