

18.09.2024
Court No.29
Item No. 32

Allowed
sg

CRM (A) 3344 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, in connection with Kalyani Police Station Case No. 632 of 2024 dated 13.08.2024 under Sections 85/80(2)/3(5) of BNS, pending before the learned Additional Chief Judicial Magistrate, Kalyani, Nadia.

And

In Re: **Sk. Mojammel @ Mojammel Shek & Ors.**
Petitioners

Mr. Shibaji Kr. Das
Mr. Dipendu Sarkar
Ms. Deblina De

For the Petitioners

Mr. Sudip Kumar
Mr. Md. Aquib Badr

For the State

1. We have heard the learned Counsel for the parties.
2. The petitioner nos.1 and 2 are the father-in-law and mother-in-law and the petitioner no.3 is the brother-in-law of the victim.
3. Considering the materials available in the case diary, nature and extent of involvement of the petitioners in the commission of the alleged offence and considering the fact that the husband of the deceased is in custody, we are of the view that custodial interrogation of the present petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest the petitioners namely, **Sk. Mojammel @ Mojammel Shek, Rajina Bibi and Ashik Sk @ Ashik Shek**, 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

Arresting Officer, subject to 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. The petitioners shall meet the I.O. once in a week till the submission of final report. The petitioner nos. 1 and 3 shall meet the I.O. once in a fortnight and the petitioner no.2 shall cooperate with the investigation and the petitioners shall appear before the learned jurisdictional court within two weeks from date.

5. In the event the petitioners fail to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
7. 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.)