

19.09.2024
SL No.31
Court No.29
(gc)
(Allowed)

CRM (A) 3365 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 Khardah Police Station Case No.442 of 2024 dated 07.08.2024 under Sections 341/323/326/307/506/34 of the Indian Penal Code.

And

In the matter of : **Smt. Susmita Khan & Anr.**

- Petitioners.

Mr. Soumitra Deb,
Sk. Md. Wasim Akram

....For the Petitioners.

Ms. Faria Hossain,
Mr. Sandip Kundu

... For the State.

1. Heard the learned Counsel for the parties.
2. 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 fact that injured has specifically named one Tanmoy Tapadar who has physically assaulted and the allegations against the petitioners are omnibus in nature, we are of the view that custodial interrogation of the petitioners is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioners namely, **Smt. Susmita Khan** and **Miss Sampriti Kundu**, 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.

4. It is further directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate at Barrackpore, North 24 Parganas in connection with G.R. Case No.5305 of 2024 within two weeks from date.
5. Accordingly, the application for anticipatory bail is disposed of.
6. 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.)