

02.01.2024

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Ct. No. 29

S.D.

C.R.M.(A) 4295 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Santipur** Police Station Case No. **349** of **2023** dated **10.4.2023** under Section 447/326/307/506/34 of the Indian Penal Code.
And

In Re : Parbati Sandel & Anr.

..... petitioners

Mr. Sayan De

Mr. Kaustav Shome

Mr. Sayan Kanjilal

....for the petitioners

Mr. Arijit Ganguly

Mr. Avik Ghatak

....for the State

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 16, 2023.

By such order, a Coordinate Bench granted interim anticipatory bail to the petitioners.

It is submitted at the bar that, such order was passed without consulting the materials in the case diary and in view of the ensuing puja vacation.

We perused the materials in the case diary.

We find that there was an incident of assault. Co-accused was enlarged on bail by the High Court.

Injured statement does not ascribe specific role of assault on the two petitioners who are ladies before us.

Learned advocate appearing for the State is unable to reply to the query of the Court as to the steps taken by the police to arrest the petitioners in respect of the police case dated April 10, 2023 till date.

In such circumstances, we confirm the order of interim anticipatory bail dated October 16, 2023.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall meet the Investigating Officer once in a fortnight till the conclusion of the investigation and on condition that the petitioners shall appear on every date 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 the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

