

03.10.2024
AD-24
Court No.29
TN
(Allowed)

CRM (A) 3393 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Santiniketan Police Station Case No. 140 of 2024 dated 05.06.2024 under Sections 448/323/325/307/354/34 of the IPC, 1860.

And

In the matter of: **Malati Mal and another**

.... petitioners

Mr. Saiful Alam

....for the petitioners

Mr. Anindya Sundar Chatterjee

....for the State

1. In spite of service, the *de facto* complainant is not represented. The affidavit-of-service is kept with the record.
2. Heard the learned counsel for the parties.
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 the gravity of the offence and also having regard to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure in which omnibus allegation has been made against the present petitioners, 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, **Malati Mal** and **Puneo @ Purnima Mal** respectively 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.

5. The petitioners shall cooperate with the investigation till submission of the final report.
6. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Bolpur, Birbhum by 8th October, 2024.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)