

30.09.2024
AD-21
Court No.29
TN
(Allowed)

CRM (A) 3418 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 Arambagh Police Station Case No. 143 of 2024 dated 22.03.2024 under Sections 420/406/506/34 of the IPC, 1860.

And

In the matter of: **Samina Khatun and another**

.... petitioners

Mr. Niladri Sekhar Ghosh,
Mr. Sourav Mondal,
Ms. Soupurna Chatterjee,
Ms. Labani Sikdar,
Mr. Rony Mondal

....for the petitioners

Mr. Ranabir Roy Chowdhury,
Mr. Koushik Biswas

....for the State

Mr. Abhijit Bhattacharyya,
Ms. Jiya Bose

....for the *de facto* complainant

1. Heard the learned counsel for the parties.
2. The report filed by the Investigating Officer (IO) shows compliance of our earlier order and it has been stated that the petitioners have cooperated during investigation and have submitted the original agreement.
3. The learned counsel for the petitioners undertakes to cooperate in the investigation.
4. The learned counsel for the *de facto* complainant has submitted that the *de facto* complainant has not received any money as per the agreement and a legal notice has been issued to the present petitioners.

5. Considering the materials available in the case diary, the nature of the dispute and that all the required documents have been seized by the investigating agency and the investigation has progressed substantially, we are of the view that custodial interrogation of the petitioners is not necessary.
6. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Samina Khatun** and **Sk. Amiruddin** respectively shall be released on bail upon furnishing a bond of Rs.50,000/- each, with two sureties of like amount each, one of whom must be local, 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.
7. The petitioner no.1 shall meet the Investigating Officer as and when required following the norms of the female accused and the petitioner no.2 shall meet the Investigating Officer once in a week till submission of the final report. Both the petitioners shall not leave the District Hooghly without the express leave of the jurisdictional court.
8. It is further directed that the present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly within ten days from date.
9. Accordingly, the application for anticipatory bail is disposed of.

10. 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.)