

04.11.2024
03
as
[ALLOWED]

C. R. M. (A) 3583 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding under Section 438 of the Code of Criminal Procedure in connection with Tehatta Police Station Case No. 501 of 2024 dated 11.07.2024 under Sections 498(A)/323/354/307/34 of the Indian Penal Code.

In Re: Maleka Bibi @ Maleka Bewa Mallick & Anr.
... .. Petitioners

Mr. Arnab Chatterjee,
Mr. Amanul Islam,
Mr. Sourav Mukherjee.
... .. for the petitioners

Mr. Anindya Sundar Chatterjee.
... .. for the State

1. Petitioners are the sisters-in-law of the victim lady. It is contended another sister-in-law viz., Sahanara Bibi Mallick @ Sana Bibi has been granted anticipatory bail. Accordingly, they pray for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. We have considered the statement of the victim. She stated she was assaulted by petitioners and co-accused resulting in bleeding injury. She was pregnant at that time. Medical reports also show blunt trauma in the abdomen as well as bleeding. However, allegations of torture are generic and no specific allegation has been levelled against petitioners. Co-accused viz., Sahanara Bibi Mallick @ Sana Bibi has been granted anticipatory bail.

4. Under such circumstances, we are inclined to extend relief to the petitioners also.

5. Accordingly, we direct that in the event of arrest, the petitioners viz., Maleka Bibi @ Maleka Bewa Mallick and Nasmina Bibi @ Nasrina Khatun @ Darathy Khatun Mallick 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 subject to the conditions as laid down under Section 482(2) of the BNSS. They shall appear before the court below and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)