

05.10.2024
Court No.29
Item No. 14
**Partly
Allowed**

ar

CRM (A) 3597 of 2024

In Re:- An application for anticipatory bail under 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhagwanpur Police Station Case No. 240 of 2024 dated 22.08.2024 corresponding to G.R Case No. 917 of 2024 under Sections 329(3)/115(3)/118/109/324(A)/303(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Angura Bibi & Ors.**

Petitioners

Mr. Baidurya Ghosal
Mr. Saikat Mukherjee

For the Petitioners

Mr. Arnab Chatterjee
Mr. Atulya Sinha

For the State

Mr. Debanshu Ghorai

For the De-facto Complainant

1. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated. It is further submitted that over a family dispute a false complaint has been lodged against the petitioners.
2. Learned counsel for the State and the de-facto complainant have opposed the prayer for anticipatory bail.
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 nature of injury, which appears to be grievous, we are not inclined to grant anticipatory bail to **the petitioner nos. 1, 2 and 4**. However, having regard to the fact that the petitioner no. 3 is pregnant, we feel that custodial interrogation of the **petitioner no. 3** is not necessary.

4. Accordingly, we direct that in the event of arrest, namely, the **petitioner no. 3, Jahanara Bibi @ Pinki Bibi** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023. The **petitioner no. 3** shall meet as and when required till the submission of the final report and on further condition that the **petitioner no. 3** shall appear before the **learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur**, within **Ten days** from date in connection with **G.R Case No. 917 of 2024**. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the **petitioner no. 3** is allowed, however, the prayer for anticipatory bail of the **petitioner nos. 1, 2 and 4** stands rejected and the application is accordingly disposed of.
6. The medical report of the petitioner no. 3 is kept with the record.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar, J)