

07.10.2024
SL No.61
Court No.29
(gc)
(Allowed)

CRM (A) 3629 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 in connection with Banshihari Police Station Case No.37 of 2024 dated 21.02.2024 under Sections 302/34 of the Indian Penal Code.

And

In the matter of : **Firaja Begum @ Firoga Begum**

.... Petitioner.

Mr. S.K. Bhattacharyya,
Mr. Sarthak Barman

....For the Petitioner.

Mr. Partha Pratim Das,
Mr. Sourat Nandy

... For the State.

1. Heard the learned Counsel for the parties.
2. The petitioner is the wife of Nabirul Islam, who is one of the co-accused.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and having regard to the statement of the witnesses recorded under Section 164 Cr.P.C. and also independent witnesses recorded under Section 161 Cr.P.C., we are inclined to grant anticipatory bail to the petitioner as the name of the petitioner does not appear from any of such statements and her involvement is not *prima facie* established and, moreover, the charge-sheet has already been filed.
4. Accordingly, we direct that in the event of arrest, the petitioner namely, **Firaja Begum @ Firoga Begum**, shall be released on bail

upon furnishing a bond of Rs.5,000/-, 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 Cr.P.C., 1973 corresponding to Section 482(2) of the BNSS, 2023.

5. It is further directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur in connection with G.R. Case No.149 of 2024 within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. 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.)