

04.11.2024
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Allowed

C.R.M. (A) No. 3689 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Kaliganj Police Station Case No. 311 of 2024 dated 10.04.2024 under Sections 447/325/307/506/435/34 of the Indian Penal Code.

And

In Re : Hafija Bibi & Anr. petitioners

Mr. Atis Kumar Biswas

Mr. Amit Singh

Mr. Jyoti Agarwal

.....for the petitioners

Mr. Prasun Kumar Dutta, learned APP

Mr. Samarjit Balial

....for the State

1. Petitioners submit they are the women folk of the family and it is alleged that they have been falsely implicated in the case. Principal accused are on regular bail. Accordingly, they pray for anticipatory bail.

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

3. We have considered the materials on record. Injury reports of Akash Ali Sk. And Nasim Sk. show assault was primarily by Sahidul Sk. And Sakibul Sk. who are on regular bail. Keeping in mind the extent of complicity of the petitioners who are women and as the principal accused are on regular bail

we are of the opinion custodial interrogation is not necessary and petitioners may be granted anticipatory bail.

4. Accordingly, we direct that in the event of arrest the petitioners shall 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 be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that they shall appear before the court below and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)