

07.11.2024
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SG
[ALLOWED]

C. R. M. (A) 3763 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Park Street Police Station Case No. 44 of 2024 dated 07.03.2024 under Sections 114/323/341/304 of the Indian Penal Code, 1860..

And

In Re: Rehana Khatoun

... ... Petitioner

Ms. Ritu Das.

... ... for the petitioner

Mr. Md. Adil Badr,
Ms. Sima Biswas

... ... for the State

1. Petitioner contends the case arose out of a landlord-tenant dispute. Co-accused have been granted regular bail. There is no direct allegation against her with regard to the offence. She prays for anticipatory bail.

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

3. We have considered the materials on record. Petitioner is the aunt of co-accused Tariq Ahmed. It is alleged they had pushed the victim who fell down and died subsequently. Co-accused Tariq Ahmed has been enlarged on bail. Petitioner is a lady and the possibility of false implication owing to a prior dispute between the parties cannot be wholly ruled out.

4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct in the event of arrest, the petitioner viz., **Rehana Khatoon** be released on bail upon furnishing a bond of Rs.10,000/-, 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 Bharatiya Nagarik Suraksha Sanhita, 2023. She shall appear before the jurisdictional court 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.)