

11.12.2024
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Partly
Allowed

CRM (A) No. 4283 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Dhubulia Police Station Case No. 360 of 2024 dated 14.10.2024 under Sections 329(3)/115(2)/118(2)/110/351(2)/3(5) of the BNS.

And

In Re : Tajer Sk. & Ors. petitioners

Mr. Prabir Majumder
Mr. Snehansu Majumder
..... for the petitioners

Ms. Zareen N. Khan
Ms. Sanjida Sultana
..... for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. In the FIR it is alleged petitioner no. 1, Tajer Sk., assaulted the victim which has caused internal injury in the brain. Hence, we are not inclined to grant anticipatory bail to him.
3. Accordingly, application for anticipatory bail so far as petitioner no. 1 concerned is, thus, rejected.
4. With regard to petitioner nos. 2 to 5 we note no specific overt act of assault on the victim is attributed in the FIR but they were subsequently implicated in the statements recorded during investigation. Possibility of embellishment of the roles of the said petitioners cannot be ruled out. Accordingly, we are inclined to grant anticipatory bail to them.

5.

5. Accordingly, we direct that in the event of arrest, petitioners no. 2) Tahera Bibi, 3) Musaraf Sk., 4) China Bibi and 5) Sukurali Sk. 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 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 jurisdictional court and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail in so far as petitioners no. 2 to 5 concerned is, thus, allowed.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)