

05.02.2025
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[ALLOWED]

C. R. M. (A) 252 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Phoolbagan Police Station Case No. 165 of 2024 dated 05.12.2024 under Sections 326/354A/509/34 of the Indian Penal Code and Sections 118(2)/74/79/3(5) of BNS 2023.

In Re: Munni Devi Sharma & Anr.

... .. Petitioners

Mr. Kamal Das,
Ms. Dipanwita Das,
Ms. Shweta Singh.

... .. for the Petitioners

Ms. Zareen N. Khan,
Ms. Puspita Saha.

... .. for the State

Mr. Aniruddha Bhattacharyya,
Ms. Anushka Bose,
Ms. Rai Das.

...for the de-facto complainant.

1. Petitioner contends there is a landlord and tenant dispute between the parties. Principal accused have been released on regular bail. Accordingly, they pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Learned Advocate for the de-facto complainant also oppose the prayer for anticipatory bail. He submits petitioners are trying to illegally evict the de-facto complainant and cases were registered against them earlier. They are continuously holding out threats.
4. We have considered the materials on record. Petitioners are the womenfolk of the family. De-facto complainant is a

tenant under the husband of petitioner no.1 who is on regular bail.

5. Keeping in the mind the extent of complicity of the petitioners in the crime and as they are womenfolk having little potential to hold out threats of eviction, we are inclined to grant anticipatory bail to the them.

6. Accordingly, we direct that in the event of arrest, the petitioners viz., **1) Munni Devi Sharma and 2) Pooja Devi** 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 BNSS. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

7. The application for anticipatory bail is, thus, disposed of.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)