

11.02.2025
Sl. No.35
akd
[ALLOWED]

C. R. M. (A) 446 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 29.01.2025 in connection with Chanditala Police Station Case No.1003 dated 29.12.2024 under Sections 126(2)/117(2)/109/351(3)/352/3(5) of the Bharatiya Nyaya Sanhita, 2023. (G.R. Case No.7 of 2025)

And

In Re: ***Marufa Begum***

... .. Petitioner

Mr. Ayan Basu
Mr. Sandip Kumar Mondal
Mr. Sumit Routh

... .. for the petitioner

Mrs. Sujata Das
Mr. Sharequl Haque

... .. for the State

1. It is submitted on behalf of the petitioner that she is a lady. There was a quarrel and she has been falsely implicated. She is not the principal accused. Accordingly, she prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record including the statement of the victim. Victim stated Sk. Meheraj had assaulted her on the head and thereafter petitioner and others assaulted with *lathi* on other parts of the body. Injury report shows grievous injury is on the head. Whether petitioner shared common intention to cause the grievous injury has to be assessed at the appropriate stage of the proceeding. Principal accused is on regular bail.
4. Keeping in mind the extent of complicity of the petitioner in the crime and as she is not the principal accused, we are of the opinion

custodial interrogation of the petitioner is not necessary and she may be granted anticipatory bail.

5. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, **Marufa Begum**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 and on further condition that the petitioner 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.)