

AD 46
April 22, 2025
Ct. 28
SG

Allowed

CRM(A) 1269 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sadaipur P.S. Case No.122 of 2024 dated 17.06.2024 under Sections 341/286/325/326/307/379/34 IPC and 9(b)(ii) of the Explosives Act, 1884.

And

In the matter of: *Rejina Bibi*

... *petitioner*

Mr. Kunal Ganguly

... for the petitioner.

Ms. Manisha Sharma

... for the State

Learned counsel appearing for the petitioner submits that the petitioner is a lady aged about 53 years old. The prime accused are her two sons who were arrested. A similarly circumstanced relative of the petitioner was granted anticipatory bail by the Sessions Court. A charge-sheet has been submitted.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that the injured victim had stated that the two sons had hurled the bombs, but one son Royal and the petitioner herself were running to their house to bring the bombs. She also refers to other statements and to the injury report which show that there was blast injury (grievous injury).

It appears from the statements of eyewitnesses that the petitioner's name was taken generally as an assailant along with others. According to them, it was the son who was bringing the bombs. This is somewhat contrary to the statement of the injured so far as the role ascribed to the present petitioner is concerned.

In view of the nature of allegations, the role ascribed to the present petitioner and the fact that the petitioner is a lady aged about 53 years with sons already arrested, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further condition that the petitioner shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)