

Present : Sri Kallol Kumar Das, Vacation Judge, Cooch-Bihar
(J.O Code No.WB00668)

Order No. 02, dated 15.10.2022

Today is fixed for hearing of this Criminal Misc. Case.

This is an application u/s:438 Cr.P.C filed by the accused petitioners namely 1) **Safiqul Islam**, 2) **Jali Bibi @ Juli Bibi**, 3) **Rafiqul Islam @ Rapikul**, 4) **Jasmine Begum @ Parvin**, 5) **Juel Rahaman**, 6) **Jairul Rahaman**, 7) **Jyotsna Khatun @ Bibi**, 8) **Md. Abdul @ Abdul Latif** who are apprehending arrest by the police of Kuchlibari P.S in connection with Kuchlibari P.S Case No.109/22, dt.22.08.22 u/s:447/323/325/326/354/506/34 of I.P.C corresponding to G.R Case No.612/22.

Ld. Advocates for both sides are present.

The Misc. Case is taken up for hearing.

Received the LCR and CD.

At the outset, Ld. Advocate for the petitioners submits that no application for anticipatory bail of the petitioners had either been rejected by the Hon'ble Court or is pending for disposal before the Hon'ble Court.

Heard both sides.

Ld. Advocate for the accused petitioners has submitted that they are not at all involved in this case and the matter has been initiated over the dispute due to civil litigation. The injured who happens to be the old aged lady got some injuries but it was very simple in nature.

Ld. P.P submitted injury report but it reveals that nature of injury is simple. However, incident had happened and involvement of the present petitioners are not specifically mentioned in the complaint or any where.

In this context, I am of view that custodial interrogation of the present accused petitioners is not required. Accordingly, prayer is considered and allowed.

Hence, it is,

o r d e r e d

that the accused petitioners namely 1) **Safiqul Islam**, 2) **Jali Bibi @ Juli Bibi**, 3) **Rafiqul Islam @ Rapikul**, 4) **Jasmine Begum @ Parvin**, 5) **Juel Rahaman**, 6) **Jairul Rahaman**, 7) **Jyotsna Khatun @ Bibi**, 8) **Md. Abdul @ Abdul Latif** shall be released on bail on the event of their arrest with **bond of**

Rs.2000/- each with one registered surety each to the satisfaction of arresting authority on condition that they shall comply the provision of section 438(2) and on condition that they shall cooperate the I.O during investigation. They are also directed to appear before the court of Ld. ACJM, Mekhliganj on the date fixed and pray for regular bail.

The Criminal Misc. Case is, thus, disposed of.

C.D and LCR be returned.

Dictated & corrected,

Sd/-
Vacation Judge,
Cooch-Bihar.

Sd/-
Vacation Judge,
Cooch-Bihar.