

SLP(Crl.)No. 472 OF 2001

ITEM No.50

Court No. 5

SECTION II  
A/N MATTERS U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 472/2001

(From the judgement and order dated 11/01/2001 in CRR 60/01  
of The HIGH COURT OF CALCUTTA)

ASHA DEVI &amp; ORS.

Petitioner (s)

VERSUS

STATE OF WEST BENGAL

Respondent (s)

( With Appln(s). for for anticipatory bail  
permission to place addl. documents on record )

Date : 09/04/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS  
HON'BLE MR. JUSTICE R.P. SETHIFor Petitioner (s) Mr. Raj Kumar Gupta, Adv.  
Mr. Jai Mangal Wadi, Adv.  
Mr. A.N. Bardiyar, Adv.For Respondent (s) Mr. Tapash Ray, Sr. Adv.  
No.1 Mr. Satish Vig, Adv.UPON hearing counsel the Court made the following  
O R D E R.....L.....I.....T.....T.....T.....T.....T.....J  
.SP2Leave granted.  
Appeal is disposed of.

.SP1

Hemalatha

(HK Bhatia)  
Court Master

(signed order is placed on file)

.PA  
.PL55IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.468 OF 2001@@

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(Arising out of SLP(Crl) No.472/2001)

ASHA DEVI AND OTHERS ... APPELLANTS

VS.

STATE OF WEST BENGAL ... RESPONDENT

O R D E R@@  
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.SP2

Leave granted.

Appellants are arrayed as accused in a complaint filed by a certain person. The Magistrate has forwarded the complaint to the police under Section 156(3) of the Code of Criminal Procedure. Thereafter the appellants registered an FIR on the strength of the allegations contained in the complaint. When the appellants moved for anticipatory bail the same was denied by the impugned order.

In the facts and circumstances of the case we are inclined to exercise a discretion in favour of the appellants under Section 438 of the Code of Criminal Procedure. We, therefore, order that the appellants if arrested, shall be released on bail on each of them ...2/

-2-

executing a bond to the satisfaction of the arresting officer. We also permit the arresting officer to interrogate the appellants.

The appeal is disposed of in the above terms.

.SP1

.....J.  
(K.T. Thomas)

New Delhi  
April 9. 2001

.....J.  
(R.P. Sethi)