

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

28.08.2019
tkm/ct 1
sl no. 36

C.R.M. 764 of 2019

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 26.8.2019 in connection with Maynaguri Women P.S case no. 248 of 2019 dated 27.7.2019 under sections 498A/307 of the IPC

and

Allowed

In Re : Saider Ali @ Chhayedar Ali & Anr. petitioners

Mr. D. Kundu

..... for the petitioners

Mr. Saikat Chatterjee

Ms. N. Das

..... for the State

Heard the learned advocates appearing for the respective parties.

It is submitted on behalf of the petitioners that they are the in-laws of the victim housewife. Petitioner nos. 3 and 4 are the married sister in law of the victim housewife and her husband respectively and they used to reside separately from the victim housewife and her husband.

Learned lawyer for the state opposes the prayer for anticipatory bail and submits that the petitioners tried to murder the victim housewife by hanging.

Having considered the materials in the case diary and bearing in mind the prima facie involvement of petitioner nos. 1 and 2, being parents in law of the victim housewife, in the alleged crime, we are not inclined to grant anticipatory bail to them.

However keeping in mind the nature of allegations and in view of the extent of complicity of petitioner nos. 3 and 4 in the light of the submission that they did not ordinarily reside at the matrimonial home of the victim lady, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest, the petitioner nos. 3 and 4 shall 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 438(2) of the Code of Criminal Procedure, 1973 and that the petitioner nos. 3 and 4 shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 764 of 2019 is disposed of.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)