

11.11.2019
SI No.38
KB/GSD

Calcutta High Court
In the Circuit Bench at Jalpaiguri

CRM 961 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 12.9.2019 in connection with Dinhata Women Police Station Case No. 43 of 2019 dated 6.8.2019 under Sections 498A/328/34 of the Indian Penal Code and corresponding to G.R. Case No. 333 of 2019.

And

In Re: Sahidar Rahaman & Ors.

... ... Petitioners

Mr. Sudip Guha

... for the petitioners.

Mr. Abhijit Sarkar

Mr. Aniruddha Biswas

... ... for the State.

Learned Counsel appearing on behalf of the petitioners submits as follows. There is a delay of about eight days in lodging the First Information Report. The alleged incident took place after nearly six years of marriage. The principal accused is the husband and not the present petitioners who are the other in-laws.

Learned Counsel appearing on behalf of the State submits as follows. The delay in lodging the FIR was explained adequately. The medical records show that the petitioner had to be admitted in hospital for two days after suffering from administering of poison. There are allegations even against the present in-laws.

Considering the nature of allegations and the purported roles attributed to the petitioners in the commission of the alleged

offence, we are inclined to grant anticipatory bail to the petitioners. However, considering the nature of allegations, we think that the movement of the petitioners is required to be restricted.

Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties, one of whom must be local, to the satisfaction of the Arresting Officer and also subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall meet the Investigating Officer twice a week till the submission of the report in final form and on further condition that the petitioners shall not enter into the jurisdiction of Dinhata Women Police Station until further orders except for meeting the Investigating Officer or for attending the Court and on further condition that the petitioners shall appear before the Court below and pray for regular bail within a fortnight from date.

The application for anticipatory bail being CRM 961 of 2019 is, thus, disposed of.

Certified website copies of this order if applied for, be immediately made available to the parties, subject to compliance with all requisite formalities.

(Jay Sengupta, J.)

(Subrata Talukdar, J.)