

11.11.2019
SI No.44
KB/GSD

Calcutta High Court
In the Circuit Bench at Jalpaiguri

CRM 975 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on November 7, 2019 in connection with Alipurduar P.S. Case No. 389 of 2019 dated 18.9.2019 under Sections 498A/494/307 of the Indian Penal Code, 1860.

And

In Re: Hemanta Ray & Anr.

... .. Petitioners

Mr. Arijit Ghosh

... for the petitioners.

Mr. Kallol Acharjee

Mr. S.S. Sikder

... .. for the State.

Learned Counsel appearing on behalf of the petitioners submits that the petitioners are the parents-in-law of the defecto-complainant/victim lady. The principal accused being the husband is in custody. The marriage between the principal accused and the victim lady had taken place 16 years ago. The allegations leveled against the present petitioners are absolutely commonplace.

Learned Advocate for the State submits that there is a prima facie case made out against the present petitioners.

Considering the materials available in the case diary 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.

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 Petitioner No.1 shall meet the Investigating Officer once a week till the submission of the report in final form 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 975 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.)