

09.12.19
Rpan/39
Ct. No.1
[ALLOWED]

CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri

C. R. M. 1042 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 13.11.2019 in connection with Maynaguri Police Station Case No. 106 of 2019 dated 09.04.2019 under Sections 498A/304B of the Indian Penal Code;

And

In Re: ***Nirmal Barman & Another***
... .. Petitioners

Mr. Jaydeep Kanta Bhowmik
... for the Petitioners.

Mr. Aniruddha Biswas
... for the State.

Apprehending arrest in connection with Maynaguri Police Station Case No. 106 of 2019 dated 09.04.2019 under Sections 498A/304B of the Indian Penal Code, the petitioners have preferred the present application for anticipatory bail.

Mr. Bhowmik, learned advocate appearing for the petitioners submits that the petitioners are aged persons and have been falsely implicated in the present criminal case. The principal accused in this case has already been granted bail. In view thereof, custodial interrogation of the petitioners herein is not necessary.

The learned advocate appearing for the State has, however, opposed the contention of the petitioners.

Having heard the learned advocates appearing for the respective parties and upon considering the materials in the case diary, the age of the petitioners and the extent of their complicity in the alleged offence,

we are of the opinion that custodial interrogation of the petitioners in this case is not necessary.

Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each with two sureties of like amount each one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the said Code and on further condition that they shall meet the Investigating Officer once in a month until further orders.

The application for anticipatory bail is, thus, disposed of.

(Rajarshi Bharadwaj, J.)

(Tapabrata Chakraborty, J.)