

13.01.2020
tkm/ct 28
sl no. 21

C.R.M. 207 of 2020

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 7.1.2020 in connection with Jalpaiguri Women P.S case no. 141 of 2019 dated 6.11.2019 under sections 498A/302/34 of the Indian Penal Code

And

Allowed

In Re : Balaram Sannyasi @ Mithun petitioner

Mr. D Kundu

..... for the petitioners

Ms. Suman Sehanabis (Mondal)

Ms. Arpita Saha

..... for the State

It is submitted on behalf of the petitioner that he is the husband of the married sister in law of the victim housewife. It is further submitted that he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for anticipatory bail.

We have considered materials on record including the statement of the independent witnesses. The said witnesses speak of matrimonial discord due to irresponsible conduct and torture meted out by an inebriated husband resulting in suicide of the victim housewife.

Under such circumstances and keeping in mind the extent of complicity of the petitioner in the alleged crime, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- 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 shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 207 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)