

02.01.20

Sl. No.77

akd

[ALLOWED]

C. R. M. 12448 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 24.12.2019 in connection with Jalpaiguri Women Police Station Case No. 142 of 2019 dated 07.11.2019 under Section 498A of the Indian Penal Code.

And

In Re: ***Dipankar Mukherjee & Anr.***

... .. Petitioners

Mr. Raju Mondal .. Advocate

... .. for the petitioners

Mr. Narayan Prasad Agarwala .. Advocate

Ms. Subhashree Patel .. Advocate

... .. for the State

Heard the learned advocate appearing for both the parties.

It is submitted on behalf of the petitioners that they are the in-laws of the victim-housewife and used to reside separately from the matrimonial home of the victim.

Learned advocate appearing for the State produces the case diary and opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the general and omnibus nature of allegations, we are of the opinion that custodial interrogation of the accused/petitioners may not be necessary in the facts of the present case and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely ***(1) Dipankar Mukharjee & (2) Rumjhum Mukharjee @ Ruma Mukharjee***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal

Procedure, 1973 and on further condition that they shall appear before the court below and pray for regular bail within four weeks from date.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)