

13.12.2021
SL No.4
Court No.1
(gc)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 323 of 2021
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Dinhata Women Police Station Case No.90 of 2020 dated 12.10.2020 under Sections 498A/302/34 of the Indian Penal Code.

And

In the matter of : **Brajmadhab Barman & Anr.**

- Petitioners.

Mr. Sudip Guha

... For the Petitioners.

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,

Mr. Aniruddha Biswas,

... For the State.

The learned Counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the instant case.

The learned Counsel for the prosecution, however, opposes the prayer for anticipatory bail.

Considering the materials on record and the nature and involvement of the petitioners in the commission of alleged offence and having regard to the fact that the principal accused is in custody and the charge-sheet has already been filed, we are inclined to grant anticipatory bail to the petitioners. As such, the prayer for anticipatory bail of the petitioners is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Brajmadhab Barman** and **Manoranjan Barman**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail, being CRM No.323 of 2021 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Biswajit Basu, J.)

(Soumen Sen, J.)