

23.09.2021

Court No.01
rpan /07

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

C.R.M. 484 of 2021

In Re:- An application for anticipatory bail under section 438
of the Code of Criminal Procedure;

and

In Re : **Dilip Kumar Barman & 3 Others**

....Petitioners.

with

CRAN 1 of 2021

Mr. Hillol Saha Podder

... for the petitioners.

Mr. Ujjwal Luksom,

Mr. Aniruddha Biswas

... for the State.

Apprehending arrest in connection with Mathabhanga Police
Station Case No.75 of 2021 dated 10.02.2021 under Sections
498A/304B/302 of the Indian Penal Code, 1860, the petitioners
have filed the present application.

On the prayer of the learned advocate appearing for the
petitioners, the application, so far as the petitioner nos. 1 and 2,
namely, Dilip Kumar Barman and Babai Barman respectively are
concerned, is dismissed as not pressed.

The learned advocate appearing for the petitioners submits
that the petitioners have been falsely implicated. The allegations
are omnibus in nature. The principal accused, being the
husband, one of the brothers-in-law and the father-in-law have
already been granted regular bail by the learned court below.
Upon completion of investigation, charge-sheet has also been
submitted and as such, custodial interrogation of the petitioner
nos.3 and 4 is not necessary.

Mr. Luksom, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the statements of the witnesses, as recorded under Section 161 of the Code.

Upon perusal of the statements of the witnesses, it appears that the role attributed to the petitioners is similar to the other co-accused persons, who have been granted bail.

Considering the nature of accusations and the extent of complicity of the petitioner nos.3 and 4, namely, Bappa Barman and Mayarani Barman respectively, we are not inclined to exercise any discretion in their favour. As such, their prayer for anticipatory bail is refused.

Accordingly, the application for anticipatory bail, being CRM 484 of 2021 and the connected application, being CRAN 1 of 2021 are dismissed.

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

(Abhijit Gangopadhyay, J.) (Tapabrata Chakraborty, J.)