

23.09.2021

Court No.01
rpan /27

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

C.R.M. 578 of 2021

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

and

In Re : **Bhola Barman & Others**

...Petitioners.

Mr. Sudip Guha

... for the petitioners.

Mr. Kallol Acharjee,

Mr. Biswarup Roy

... for the State.

Apprehending arrest in connection with Pundibari Police
Station Case No.181 of 2021 dated 19.04.2021 under Sections
498(A)/304B of the Indian Penal Code, 1860, the petitioners have
preferred the present application.

The learned advocate appearing for the petitioners submits
that the principal accused is the husband, who is already in
custody. The petitioner no.1 is the father-in-law, the petitioner
no.2 is the mother-in-law and the petitioner no.3 is the brother-in-
law of the victim lady. They have been falsely implicated. No overt
act has been attributed to them. Upon completion of
investigation, charge-sheet has also been submitted and as such,
custodial interrogation of the petitioners is not necessary.

The learned advocate appearing for the State opposes the
petitioners' prayer and draws our attention to the statements of
the witnesses, recorded under Section 161 of the Code. He further
submits that the incident occurred only ten months after the
marriage and there had been a continuing demand for dowry.

Having heard the learned advocates and considering the materials in the case diary, the gravity of the offence, the nature of accusations and the extent of complicity of the petitioners in the alleged offence, 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 578 of 2021, is 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.)