

20.07.2021

Court No.28
Item No. JB-04
snandy

(antibail - granted)

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

(Via Video Conference)

CRM 626 of 2021

In Re:- An application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure filed on 17.05.2021 in connection with Dhupguri Police Station Case No. 474 of 2020 dated 13.12.2020 under Sections 498A/306/34 of the Indian Penal Code (G.R. Case No. 5421 of 2020)

and

In the matter of: **Dilip Sarkar**

.....Petitioner

Mr. Arijit Ghosh, Advocate

.....for the Petitioner

Mr. Ujjwal Luksom, Advocate

Ms. Namrata Das, Advocate

.....for the State

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

Apprehending arrest in connection with Dhupguri Police Station Case No. 474 of 2020 dated 13.12.2020 under Sections 498A/306/34 of the Indian Penal Code, the petitioner has filed the instant application for anticipatory bail.

The petitioner is the brother-in-law of the deceased victim who committed suicide by hanging. It is a case of abatement to commit suicide and, therefore, based on circumstantial evidence. It appears from the statement of the witnesses that the petitioner resides in a separate house, which according to the petitioner is situated four kilometres away from the house of the victim lady.

After perusing the statements of the witnesses, we do not think

that custodial interrogation of the petitioner is necessary.

Thus, the prayer of anticipatory bail is **allowed**.

Accordingly, in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer of the concerned police station and on condition as laid down under Section 438(2) of the Code of Criminal Procedure and on further condition that the petitioner shall meet the Investigation Officer once in week.

The application for anticipatory bail being **CRM 626 of 2021** is thus **disposed of**.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)