

08.07.2021

Court No.28
Item No. JB-04
nandy

(antibail - granted)

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

(Via Video Conference)

CRM 694 of 2021

In Re:- An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure filed on 17.06.2021 in connection with Bhaktinagar Police Station Case No. 264 of 2021 dated 14.03.2021 under Sections 498A/302/34 of the Indian Penal Code.(G.R. Case No. 1209 of 2021)

and

In the matter of: **Jaydeb Paul & Ors.**

.....Petitioners

Mr. Jaydeep Kanta Bhowmik, Advocate

.....for the Petitioners

Mr. Aditi Sankar Chakraborty, learned A.P.P.

Mr. Sourav Ganguly, Advocate

.....for the State

Advocate-on-record of the petitioners undertake 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 Bhaktinagar Police Station Case No. 264 of 2021 dated 14.03.2021 under Sections 498A/302/34 of the Indian Penal Code, the petitioners have filed the instant application for anticipatory bail.

It is a case of an unfortunate death of a lady at her matrimonial home by burn injury. The case has been lodge as there was a matrimonial discord between the victim lady and her husband and an application for restitution of conjugal rights, appear to have been filed by the husband. She came back to the matrimonial home and suffered the burn injury and admitted to hospital.

The dying declaration recorded by the examining Doctor would reveal the complicity of the in-laws as she disclosed such act attributable to her action. The husband has already been granted anticipatory bail by the learned Sessions Judge. The present petitioners are the parents-in-law and the brothers-in-law of the deceased victim.

In view of the fact as disclosed here-in-above, we do not think that custodial interrogation of the petitioners is required.

The prayer of anticipatory bail is considered and **allowed**.

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

The application for anticipatory bail being **CRM 694 of 2021** is thus **disposed of**.

(Harish Tandon, J.)

(Subhasis Dasgupta, J.)

