

08. 13.08.2021

Ct.32

Tanmoy

Allowed

**In The High Court at Calcutta
Circuit Bench at Jalpaiguri
Appellate Side**

(Through Video Conference)

C.R.M. 808 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **03/08/2021** in connection with **Falakata Police Station Case No. 184 of 2021** dated **06/05/2021** under Sections **498A/304B** of the Indian Penal Code.

And

In the matter of: - **Sohagi Sannyasi & Anr.**

....petitioners.

Mr. Arnab Saha

...for the petitioners (through V.C.).

Mr. Abhijit Sarkar,
Mr. Biswarup Roy

...for the State (through V.C.)

The petitioner no.1 is the mother-in-law and the petitioner no.2 is the brother-in-law of the victim, who allegedly committed suicide. The allegation against the petitioners is that they used to torture the victim lady. The husband was apprehended and has been enlarged on bail.

Learned Counsel for the State says that the cause of death, as would appear from the material on record, is intracranial hemorrhage. However, we do not find any *prima facie*, material which would show that these petitioners inflicted any physical torture on the victim. Charge-sheet has been submitted.

In the aforesaid facts and circumstances of the case and having regard to the nature and seriousness of the charge brought against the petitioners and the material on record and also, since charge-sheet has been filed, we are of the view that immediate custodial interrogation of the petitioners may not be necessary and they may be granted anticipatory bail so long as they co-operate with further investigation, if any.

Accordingly, in the event of arrest, the petitioners 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M. 808 of 2021 is, thus, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)