

13.12.2021
Court No.01
Item No. 20
Allowed
sg

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

**CRM 885 of 2021
(Via Video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Siliguri Women Police Station Case No. 95 of 2021 dated 20.07.2021 under Section 498A/354A of the Indian Penal Code and Sections 3 and 4 of the D.P. Act.

And

In Re : **Supriya Shaw & Ors.**

Petitioners

Mr. Bhaskar Hutait

For the Petitioners

Mr. Ujjal Luksom
Mr. Biswarup Roy

For the State

The learned Counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the instant case.

The learned Counsel for the prosecution opposes the prayer for anticipatory bail and submits that the petitioners have not complied with the notice under Section 41A of the Code of Criminal Procedure.

Considering the materials available on record and the nature and complicity of the petitioners in the commission of alleged offence, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that 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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and also subject to further condition that

the petitioner nos. 1, 2 and 3 shall immediately comply with the notice under Section 41A of the Code and shall meet the IO once in a week till the filing of the charge-sheet and petitioner no.4 shall cooperate with the investigation. This order shall remain valid for six weeks from this date, within which time the petitioners shall surrender and obtain regular bail from the learned Trial Court and the learned Trial Court shall decide the application without being influenced by the observations made by us in this order.

The application for anticipatory bail, being C.R.M. No. 885 of 2021 is, thus, disposed of.

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

(Biswajit Basu, J.)

(Soumen Sen, J.)