

16.12.2021
SL No.71
Court No.1
(gc)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 1009 of 2021
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Sahebganj Police Station Case No.197 of 2020 dated 13/05/2020 under Sections 498A/306/34 of the Indian Penal Code.

And

In the matter of : **Asrafi Khanam & Anr.**

- Petitioners.

Mr. Sudip Guha,
Mr. Swarup Kumar Mondal,
... For the Petitioners.

Mr. A.K. Sarkar,
Mr. Saikat Chatterjee,
... For the State

The petitioners are the mother-in-law and father-in-law of the victim. It is submitted that the petitioners are innocent and the principal accused has been granted bail by the Trial Court.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail.

Having considered the materials available on record and bearing in mind the nature and extent of complicity of the petitioners in the commission of alleged offence and also having regard to the fact that the principal accused is on bail and char-sheet has already been filed, we are of the opinion that the custodial interrogation of the petitioners is not necessary.

Accordingly, we are inclined to grant anticipatory bail to the petitioners. The prayer for anticipatory bail is, thus, allowed.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

It is further directed that the petitioner No.2 shall meet the Officer-in-Charge of the Sahebganj Police Station of the case once in a month until further order.

The application for anticipatory bail, being CRM No.1009 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.)