

13.12.2021  
SL No.39  
Court No.1  
AJ

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

**CRM 1011 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 Jalpaiguri Women Police Station Case No.39 of 2021 dated 07.04.2021 under Sections 498A/307 of the Indian Penal Code 1860, read with Section 3 & 4 of the dowry Prohibition Act, 1961.

And

In the matter of : **Dulal Shil.**

....petitioner.

Mr. Aniruddha Biswas,  
Mr. Sourav Sarkar.

... For the Petitioner.

Mr. Ujjwal Luksom,  
Mr. Namrata Das.

... For the State.

The learned Counsel for the petitioner submits that the petitioner has been falsely implicated and all co-accused persons are presently on bail.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and submits that the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure would implicate amongst others along with the husband.

Considering the materials available on record and the nature and involvement of the petitioner in the commission of alleged offence and having regard to the fact that all the co-accused persons similarly placed as that of the present petitioner

are on bail, we are entailed to grant anticipatory bail to the petitioner.

As such, the prayer for anticipatory bail of the petitioner is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Dulal Shil**, shall be released on bail upon furnishing a bond of Rs.5,000/- (Rupees Five Thousand Only), 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 and on further condition that the petitioner shall meet the Investigating Officer once in a week till the charge sheet is filed and the petitioner shall not leave the jurisdiction without the express leave of the Investigating Officer.

The application for anticipatory bail, being CRM No.1011 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.)**