

14.12.2021
SL No.31
Court No.1
AJ

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

**CRM 1050 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 Kumargram Police Station Case No.142 of 2020 dated 21.07.2021 under Sections 498A/304B/34 of the Indian Penal Code, 1860.

And

In the matter of : **Sri Dharmendra Rava @ Sendra @ Mendra
Rava @ Dharminer Rava & Ors.**
... .petitioners.

Mr. Arnab Saha.
... For the Petitioners.

Mr. Nilay Chakraborty,
Mr. Sourav Ganguly.
... For the State.

The learned Counsel for the petitioners submits that the petitioner no.1 is the brother-in-law and the petitioner no.2 is the wife of the brother-in-law and the petitioner no.3 is the mother in law.

It is submitted by the learned Counsel for the petitioners that the petitioner nos.1 and 2 are residing in Ludhiana and they were not present at the time of alleged incident took place. It is further submitted that the petitioner no.3 is the mother-in-law of the victim who has been falsely implicated. It is also submitted that the husband and the mother-in-law of the victim were granted bail.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and draws our attention to the statement of the neighbours recorded under Section 161 of the Code of Criminal Procedure.

Having considered the materials available on record and the nature of extent of complicity of the petitioners in the commission of the alleged offence and also having considered that the principal accused is on bail and charge sheet has already been filed, we are of the opinion that the custodial interrogation of the petitioners are not required.

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

Accordingly, we direct that in the event of arrest the petitioners, namely, **Sri Dharmendra Rava @ Sendra @ Mendra Rava @ Dharminer Rava, Smt. Sarla Rava @ Mousumi Rava** and **Smt. Felani Rava @ Phelani Rava** shall be released on anticipatory bail upon furnishing a bond of Rs.5,000/- each, with two sureties of like amount each, 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 a further condition that the petitioners shall attend the Court proceeding as and when they are required without any default until further orders.

The application for anticipatory bail, being CRM No.1050 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.)