

17.12.2021
Court No.01
Item No. 29

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

sg

**CRM 1156 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 Police Station Case No. 1076 of 2021 dated 29.08.2021 under Sections 420/406/120B of the Indian Penal Code.

And

In Re: **Rekha Sharma**

Petitioner

Mr. Debajit Kundu

For the Petitioner

Mr. Sourav Ganguly

Mr. Biswarup Roy

For the State

The learned Counsel for the petitioner submits that the petitioner is innocent and the dispute has arisen between the landlord and the tenant relationship. It is further submitted that the husband of the petitioner was arrested and subsequently granted bail.

The learned Counsel for the State produces the case diary and opposes the prayer for anticipatory bail.

Considering the materials available on record and the nature and extent of involvement of the petitioner in the commission of alleged offence and also in view of the fact that the husband of the present petitioner has been granted bail, we are of the opinion that custodial interrogation of the present petitioner is not necessary and she may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Rekha Sharma**, 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 also subject to the conditions as laid

down under Section 438(2) of the Code of Criminal Procedure, 1973 and the petitioner shall cooperate with the investigation.

The prayer for anticipatory bail is allowed and CRM 1156 of 2021 is accordingly, 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)