

17.06.2022
09
Ct. No. 01
KAUSHIK
Allowed

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

C.R.M.(A) 289 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Pundibari** Police Station Case No. **653** of **2021** dated **11.12.2021** under Sections 498A/302/304B of the Indian Penal Code, 1860 (Charge-sheet filed under Section 498A/304B of the Indian Penal Code, 1860).

And

In Re : Swapna Sutradhar & Anr.

..... petitioners

Mr. Hillol Saha Poddar

....for the petitioner

Mr. Aditi Sharkar Chakraborty, learned APP

Mr. Sourav Ganguly

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the police filed charge-sheet, inter alia, under Sections 498A/304B of the Indian Penal Code, 1860 after conducting an investigation, inter alia, under Sections 498A/302/304B of the Indian Penal Code, 1860. He submits that, the husband of the deceased is still in custody.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Considering the fact that the police filed charge-sheet, inter alia, under Sections 498A/304B of the Indian Penal Code, 1860 after conducting an investigation, inter alia, under

Sections 498A/302/304B of the Indian Penal Code, 1860 and considering the fact that husband of the deceased is still in custody, we 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, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)