

29.06.2022
Serial no.1
Aloke

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri**

CRM (A) 299 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Jalpaiguri Women Police Station Case No. 11 of 2022 dated 06.03.2022 under Sections 498A/302/34 of the Indian Penal Code read with Section 4 of the D.P. Act.

-And-

In the matter of : **Ruhidas Biswas & Anr.**

... .. Petitioners

Ms. Madhushri Dutta, Advocate

Mr. Thaneshware Kumai, Advocate

... .. For the Petitioners

Mr. Ujjwal Luksom, Advocate

Mr. Tapan Bhattacharya, Advocate

... ...For the State

Leave granted to the learned Advocate appearing for the petitioners to correct the errors in the cause title.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the husband was enlarged on bail by the jurisdictional Court by the order dated May 12, 2022.

Learned Advocate appearing for the State draws the attention to the postmortem report and to the statement of the daughter of the victim recorded under Section 164 of the Code of Criminal Procedure.

Considering the nature of the allegations as against the petitioners and considering the statement of the daughter of the victim recorded under Section 164 of the Code of Criminal Procedure and the postmortem report of the victim, we are inclined to 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/- (Rupees Ten Thousand Only) 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 petitioner nos. 1 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 2 will cooperate with the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 299 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)