

07.07.2022.

Item No. 24

ap

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) No. 320 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 05.07.2022 in connection with Kotwali Police Station Case No. 315 of 2022 dated 22.05.2022 under Sections 498A/302/34 of the Indian Penal Code.

And

In the matter of: **Anita Malakar & Ors.** ...petitioners.

Ms. Madhushri Dutta. ...For the petitioners

Mr. Abhijit Sarkar,
Mr. Tapan Bhattacharjee.For the State

Counsel for the petitioners submits on instructions that in so far as the petitioner no.1 is concerned, she is not pressing this application for anticipatory bail.

Hence, the prayer for anticipatory bail of the petitioner no.1, namely, Anita Malakar, is dismissed as not pressed.

Anticipatory bail is moved in favour of the petitioner nos.2 and 3, who are the brother-in-law and sister-in-law of the victim in a charge under Sections 498A and 302 of the Indian Penal Code.

It is submitted that the petitioner nos.2 and 3 do not reside in the same house and live separately prior to the marriage of the victim. It is further submitted that omnibus and vague allegations are made against the petitioners in the complaint.

Having considered the facts and circumstances of the present case and going through the entire case diary and the fact that investigation is at a nascence stage, the prayer for bail of the petitioner nos. 2 and 3, namely, Niranjana Malakar and Juthika Malakar (Roy) is rejected at this stage.

C.R.M. (A) No. 320 of 2022 is, thus, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ananda Kumar Mukherjee, J.) (Rajasekhar Mantha, J.)