

13.07.2022.

Item No. 34

ap

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

C.R.M. (A) No. 348 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 11.07.2022 in connection with Falakata Police Station Case No. 105 of 2022 dated 04.03.2022 under Sections 498A and 306 of the Indian Penal Code.

And

In the matter of: **Ajay Oraon & Ors.** ...petitioners

Mr. Kunaljit Bhattacharjee,
Mr. Alok Sah. ...For the petitioners

Mr. Arun Kumar Sarkar,
Ms. Namrata Das.For the State

Anticipatory bail is prayed on the ground that the complaint was lodged ten days after the victim had consumed poison.

It is submitted that the petitioners are the relatives on the husband's side of the victim. It is further submitted that the de facto complainant is the husband of the victim.

The facts of the case narrated briefly are that the petitioners are alleged to have coerced with the deceased into conveying a certain property of which the deceased was the guardian of the minor donee.

Counsel for the State opposes the prayer for anticipatory bail.

Having considered the materials in the case diary and bearing in mind the submissions of the Counsel for the State, this Court is of the view that the custodial interrogation of the petitioner is not necessary.

It is directed that in the event of arrest, the petitioners shall be released on bail to the satisfaction of the arresting officer upon furnishing Bond of Rs.5,000/- each on condition that the order shall remain valid for a period of two weeks within which the petitioners shall surrender before the court concerned for regular bail.

It is further directed that after release, the petitioners shall meet the Investigating Officer of the case atleast once in a week or as and when called for until further orders.

This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure.

The Case Diary be returned.

C.R.M. (A) No. 348 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.)

