

12.09.2022

Item No.12

Ct.No.1

K.B/b.r.

allowed

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
Criminal Appellate Jurisdiction

CRM(A) No. 381 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Malbazar P.S. Case No. 302/2022 dated 17.04.2022 under Sections 498A/304B/306/34 of the Indian Penal Code.

And

In the matter of: **Suranjan Bepari @ Sudip Bapari.**

....Petitioner.

Mr. Satarudriya Mukherjee

Mr. Debjit Kundu

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP

Mr. Aniruddha Biswas

.....for the State.

This is an application for grant of anticipatory bail in connection with Malbazar P.S. Case No. 302/2022 dated 17.04.2022 under Sections 498A/304B/306/34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the principal accused that is the husband of the deceased was granted bail on 12th June, 2022. Subsequently, the Co-ordinate Bench of this Court on

5th September, 2022 has granted bail to Jharna Sarkar @ Jharna Bapari, who is the sister-in-law of the victim.

The Learned Counsel for the petitioner submits that the present petitioner is the brother-in-law.

The learned Counsel for the petitioner submits that the petitioner is on the same footing to that of the case of the sister-in-law. He further submits that there is no allegation that the accused persons who have been granted bail have hamper or tamper with the evidence.

Learned Counsel for the State submits that investigation is going on and at this stage, if the petitioner is granted anticipatory bail there is every apprehension that the petitioner will hamper or tamper with the evidence.

Considering the rival submission of the parties and the materials placed, this Court finds it fit to grant the petitioner the privilege of anticipatory bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Chief Judicial Magistrate, Jalpaiguri and also be subject to the conditions as laid down under Section

438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall not intimidate the witnesses nor shall hamper or tamper with the evidence and on the further condition that the petitioner shall meet the Investigating Officer once in a week until further order.

CRM(A) No. 381 of 2022 stands accordingly **disposed of.**

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Krishna Rao J.)

(Subrata Talukdar, J.)