

**09.09.2022**

Item No.18

Ct.No.01

F.B/gsd

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

**CRM(A) 393 of 2022**

**In Re:** An application for Anticipatory bail under Section 438 of Cr.P.C in connection with G.R. Case No. 163 of 2022 arising out of Haldibari Police Station Case No. 67 of 2022 dated 7<sup>th</sup> March, 2022 under Sections 498A/304B/34 of the IPC, 1860.

In the matter of : **Manowarul Hoque Basunia  
@ Mon @ Manoyarul Haque  
Basunia & Anr.**

... Petitioners.

Mr. Bikash Singha

... For the Petitioners.

Ms. Aditi Shankar Chakraborty  
Ms. Namrata Das

... For the State.

Party/parties is/are represented in the order of their name/names as printed above in the cause-title.

This is an application for anticipatory bail in connection with G.R. Case No. 163 of 2022 arising out of Haldibari Police Station Case No. 67 of 2022 dated 7<sup>th</sup> March, 2022 under Sections 498A/304B/34 of the IPC, 1860.

The petitioners are the father-in-law and the uncle-in-law of the victim girl.

Mr. Singha, Learned Advocate, appearing for the petitioners submits that the co-accused and the principal accused i.e. the husband the also the mother-in-law have been granted the privilege of bail by the Hon'ble Court.

It is submitted that there are no incriminating materials disclosing the involment of the petitionrs to the alleged offences.

Learned State Counsel, Ms. Chakraborty, produces the Case Diary.

From the Case Diary, it appears that there is evidence against the present petitioners over and beyond the evidence against the principal accused.

In the event, the appreciation of evidence is a matter of trial.

It is also submitted that the charge-sheet in connection with this case has been filed.

Considering all the facts and circumstances, this Court is persuaded to grant the privilege of bail to the petitioners.

Accordingly, the prayer for anticipatory bail of the petitioners is **allowed**.

Accordingly, In the event of arrest, the petitioners namely Manowarul Hoque Basunia @ Mon @ Manoyarul Haque Basunia and Mintu Basunia 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 Learned ACJM, Mekhliganj, Cooch Behar 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 shall attend the Court on each day's trial.

**CRM(A) 393 of 2022** is **disposed of** accordingly.

All parties are to act on a server copy of this order from the official website of this court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Krishna Rao, J. )

(Subrata Talukdar, J.)