

23.12.2022
Serial no. 01
[Dd]
(Anticipatory bail)
Allowed)

CALCUTTA HIGH COURT
In The Circuit Bench at Jalpaiguri
Appellate Side

CRM (A) 775 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kotwali Women** Police Station Case No. **71** of **2022** dated **October 7, 2022 (GR No. 5651 of 2022)** under Sections **498A/302/34** of the Indian Penal Code read with Sections **3/4** Dowry Prohibition Act, 1961.

-And-

In the matter of : **Biplab Halдар**

... .. Petitioner

Mr. Rokon Ali Molla, Advocate
... .. *For the Petitioner*

Mr. Ujjwal Luksom,
Mr. Arjun Chowdhury, Advocates
... ..*For the State*

Husband was enlarged on bail by the jurisdictional Court.

The postmortem report of the victim suggests that the victim consumed poison.

There is statement of a driver of a vehicle who carried the victim and her husband to the hospital. In his statement such driver claimed that the victim was telling her husband that, now that she consumed poison the husband should be happy.

In such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of

Rs.10,000/- (Rupees Ten Thousand Only), 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 further condition that the petitioner shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner shall appear on every date 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 775 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)