

D/L 232
February 6, 2023
MNS

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 14 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 03.01.2023 in connection with G.R. Case No. 2432 of 2022 arising out of Alipurduar GRPS Police Station Case No. 15 of 2022 dated 23.10.2022 for the alleged offence under Sections 498A/304B of the Indian Penal Code, 1860.

And

In the matter of: Bani Barman and others

.... petitioners

Mr. Partha Pratim Srkar,
Mr. Biswajit Ds

... for the petitioners

Ms. Namrata Das

... for the State

Learned counsel for the petitioners submits that there was no specific allegation with regard to the present petitioners in respect of the offence alleged committed by the husband of the petitioner no. 1, who is in custody. The petitioner no. 1 is the mother-in-law and the petitioner nos. 2 and 3 are the brothers-in-law of the victim.

Learned counsel for the State opposes the prayer for anticipatory bail.

However, it transpires that the nature of allegation against the petitioners are general. As such, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, CRM (A) 14 of 2023 is allowed, thereby granting anticipatory bail to the petitioners on condition that the petitioners

shall satisfy the stipulations in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioners shall be released on bail upon furnishing individual bond of Rs.5,000/- each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Alipurduar. The petitioners shall not leave the territorial jurisdiction of the concerned police station during the entire period of investigation and shall make themselves available for such investigation as and when so required.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)