

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

01.03.2023.
44.
as
(Allowed).

C.R.M. (A) 169 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mekhliganj P. S. Case No.423 of 2022 dated 24.12.2022 under Sections 498A/328 of the Indian Penal Code read with Sections 3 & 4 of the Dowry Prohibition Act.

In the matter of : Nilu Mandal & Ors.

... Petitioners.

Mr. Anirban Banerjee,
Ms. Madhushhri Dutta,

...for the Petitioners.

Mr. Ujjwal Luksom,
Ms. Namrata Das.

.....for the State.

Petitioners are the in-laws of the victim housewife. It is submitted there is delay in lodging first information report. They pray for bail.

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

We have considered the materials on record. Victim lady was admitted in hospital in July, 2022. FIR was registered in December, 2022. No explanation for delay is forthcoming. Allegation against the petitioners who are in-laws of the victim housewife are general and omnibus.

Under such circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)