

11.05.2023

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IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(A) 229 of 2023

In the Matter of : **Keshab Ray & Anr.**

.... Petitioners.

Mr. Hillol Saha Poddar
Mr. Mousumi Das

....for the petitioner.

Mr. Nilay Chakroborty
Ms. Namrata Das

.....For the State.

This is an application for grant of anticipatory bail filed under the provisions of Section 438 of the Code of Criminal Procedure, 1973 (in short, Cr. P.C.) in connection with Mathabanga Police Station Case No.9 of 2023 dated 05.01.2023 under Sections 498A/307 of the India Penal Code, 1860 (in short, IPC) and Section 3/4 of the provision of Child Marriage Act, 2006.

The petitioners are respectively the father-in-law and mother-in-law of the de-facto complainant. Charge-sheet has been filed. We do not think that any custodial interrogation is necessary for the progress of the

investigation. There is no allegation of subsequent intimidation.

Considering the aforesaid facts and circumstances, we accordingly allow this application for anticipatory bail on the following terms:

We direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of the Arresting Officer.

The petitioners will also comply with the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

We impose further conditions that:

- (a) The petitioners shall immediately deposit their passports, if they possess one, with the investigating officer.
- (b) They shall appear before the investigating officer for interrogation as and when summoned.
- (c) They shall not leave the limits of the district Cooch Behar without informing the investigating officer of the details of their whereabouts.

- (d) They shall not tamper with evidence or intimidate the witnesses in any manner.
- (e) The petitioners shall appear before the court below and pray for regular bail within a period of four weeks from date.

The application for anticipatory bail, being CRM(A) 229 of 2023 is disposed of.

(Ananya Bandyopadhyay, J.) (Arindam Mukherjee, J.)