

09.06.2023
Court No.01
Item No. 44
Allowed

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

sg

CRM (A) 300 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Sitalkuchi Police Station Case No. 187 of 2022 dated 16.07.2022 under Section 498-A/306 of the Indian Penal Code.

And

In Re: **Sunil Paul & Ors.**

Petitioner

Mr. Hillol Saha Poddar

Ms. Mousumi Das

For the Petitioner

Mr. Nilay Chakraborty

Mr. Sagnik Sankar Sikdar

For the State

We have heard the learned counsel for the parties.

It appears that the husband has been enlarged on bail. During the pendency of this application the petitioner no.1 was arrested and enlarged on regular bail. Accordingly, the prayer for anticipatory bail of the petitioner no.1 has not become infructuous.

The petitioner nos. 2 and 3 are the mother-in-law and sister-in-law of the deceased.

Having considered the involvement of the petitioner in the commission of the alleged offence and also having regard to the fact that the husband and the father-in-law are on bail and in view of the fact that the charge-sheet has already been filed, we are of view that the custodial interrogation of the petitioner nos. 2 and 3 is not required and they may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner nos. 2 and 3 shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two

sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioners shall co-operate with the investigation and shall not leave the jurisdiction of the jurisdictional court. The petitioners shall also surrender before the court below within four weeks from date and pray for regular bail.

In default of complying with any of the conditions mentioned above, the trial court shall be at liberty to cancel the bail without any further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner nos. 2 and 3 is allowed.

CRM (A) 300 of 2023 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J)

(Soumen Sen, J)