

12.06.2023
SL No.28
Court No.1
(gc)
(Allowed)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

CRM (A) 332 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Pundibari Police Station Case No.157/2021, dated 31.03.2021 under Sections 498A/306/2022 of the Indian Penal Code read with Section 3/4 of Dowry Prohibition Act.

And

In the matter of : **Jhunu Dey & Anr.**

- Petitioners.

Mr. Swarup Das

... For the Petitioners.

Mr. Ujjwal Luksom,

Ms. Namrata Das

... For the State.

The learned Counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and has produced the post mortem report.

Considering the materials available in the case diary, the post mortem report and that the husband and father-in-law of the deceased has been granted regular bail by the Trial Court and the charge-sheet has already been filed and also having regard to the fact that the nature of involvement of the petitioners in the commission of alleged offence, we are of the

view that the custodial interrogation of the petitioners is not necessary.

Accordingly, we direct that in the event of arrest, the accused/petitioners 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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and shall appear before the court below and pray for regular bail within four weeks from date and shall not leave the jurisdiction of the jurisdictional Court without express leave of the Court.

The application for anticipatory bail 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.)