

14.06.2023
Court No.01
Item No. 42
Allowed

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

sg

CRM (A) 367 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Pundibari Police Station Case No. 707 of 2022 dated 06.12.2022 under Sections 498A/302B of IPC read with Section 3/4 of D.P. Act.

And

In Re: **Nur Jahan Beowa**

Petitioner

Mr. Hillol Saha Podder

For the Petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP

Mr. Arjun Chowdhury

For the State

The learned Counsel for the petitioner submits that the co-accused person has been granted regular bail and the petitioner is innocent.

The learned Counsel for the State opposes the prayer for anticipatory bail.

In view of the admitted position that the co-accused person has been enlarged on bail and the petitioner is the mother-in-law of the principal accused and also having regard to the fact that the charge-sheet has already been filed, we are of the view that the petitioner is entitled to anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.5,000/-, with two sureties of like amount each, one of whom must be local, subject 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 petitioner shall co-operate with the investigation. The petitioner shall attend each and every date before the learned Trial Court and shall pray for regular bail.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 367 of 2023 is, thus, disposed of.

The copy of the order dated 21st October, 2023 granting bail to the husband of the deceased is taken on record.

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)