

05.07.2023
Item no.85.
Court No.01.
S.De
(Allowed)

Circuit Bench of Calcutta High Court
at Jalpaiguri

CRM (A) No. 489 of 2023

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 945 of 2022 Dated 21.08.2022 under Sections 498A/304B/34 of the Indian Penal Code.

And

In the matter of: Sharmila Barman.

.....Petitioner.

Md. Sakir Ahmed,
Mr. Hillol Saha Poddar,
Ms. Mousumi Das for the Petitioner.

Mr. Kallol Acharjee,
Mr. Chattu Roy,
.....for the State.

Heard learned advocate for the petitioner and learned advocate for the State at length.

Perused the entire material in the Case Diary. Investigation is stated to have been completed. There are omnibus allegations against the present accused petitioner who is the mother in law of the deceased house wife.

Such being the position, and since charge sheet has been filed, it appears to us that custodial interrogation of the present accused petitioner is no more necessary for the purpose of further investigation, if any.

The application for anticipatory bail is allowed.

Accordingly, in the event of arrest, the petitioner, namely, **Sharmila Barman** shall be released on bail upon furnishing a bond of Rs.10,000/- with two registered sureties of like amount each, to the satisfaction of the learned Chief Judicial magistrate, Cooch Behar and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders and on further condition that the petitioner shall appear before the learned Chief Judicial Magistrate, Cooch Behar within 21 days from the date of uploading of the instant order in the server. Learned Chief Judicial Magistrate, Cooch Behar is to act on the server copy of this order.

In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being C.R.M.(A) No. 489 of 2023 is, thus, allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)