

14.07.2023
Item no.23
Court No.1.
AB
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) No.503 of 2023

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Siliguri Police Station Case No.1137 of 2022 Dated 9.12.2022 under Sections 498A/304B/306 of the Indian Penal Code read with Section 3 and 4 of the DP Act

And

In the matter of : Anita Hela & Anr. Petitioners.

Mr. H. S. Poddar,
Ms. Mousumi Das for the Petitioners.

Mr. Ujjwal Luksom,
Mr. Dhiman Sil for the State.

Heard learned Advocate for the petitioners and learned Advocate for the State at length.

Learned Advocate for the State opposes the prayer for anticipatory bail.

On perusal of the entire material in the case diary, it appears that the allegation as made out in the first information report though gets some support in course of investigation, but prima facie, it appears that those are omnibus in nature. Investigation is stated to have been completed in the meantime.

Such being the position, custodial interrogation of the present accused petitioners is not necessary either for the investigation or for the trial.

Accordingly, in the event of arrest, the petitioners, namely Anita Hela and Manjay Hela shall be released on bail upon furnishing a bond of Rs.10,000/-each, with two registered sureties of like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri 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 present accused petitioners shall appear before the learned Additional Chief Judicial Magistrate, Siliguri within 21 days from the date of uploading of the instant order in the server.

In case the petitioners fail 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.503 of 2023 is, thus, allowed.

Urgent Photostat Certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)

