

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

25.08.2023
Court No.1
Item.36
(sg/ks)

CRM (A) 640 OF 2023

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Samuktala Police Station Case No.146 of 2023 dated 13.07.2023 under Sections 498A/304B/34 of the Indian Penal Code.

And

In the matter of: Paresh Das & Ors.

.Petitioners.

Mr. Arnab Saha

For the Petitioners.

Mr. Sagnik Sankar Sikdar

For the State.

1. After carefully perusing the dying declaration of the victim lady, which has been recorded by the learned Executive Magistrate, Sadar, Coochbehar on 11.07.2023, wherein the victim has stated that the victim voluntarily set herself on fire and the fact that the dying declaration does not implicate the petitioners before us, we are of the view that custodial interrogation of the petitioners is not required. The petitioners are the parents and brother of the husband of the deceased.
2. We accordingly direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, one of who must be local, to the satisfaction of the Arresting Officer and also comply with the conditions laid down under Section 438(2) of The

Code of Criminal Procedure, 1973. The petitioners shall cooperate with the investigation and make themselves available for questioning to the Investigating Officer once in a fortnight until further orders. The petitioners shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.

3. The application for anticipatory bail being CRM (A) 640 OF 2023 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)