

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

10.10.2023.
33/pm

C.R.M.(A) 849 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 19.09.2023 in connection with Malbazar P.S case no. 615 of 2023 dated 01.08.2023 under Section 498A of the Indian Penal Code read with Section 3/4 of Dowry Prohibition Act.

Allowed

In Re : Ramendra Nath Roy. petitioner

Mr. Sudip Guha

..... for the petitioner

Mr. Nilay Chakraborty,
Ms. Sukanya Adhikary

..... for the State

Heard learned advocates appearing for the respective parties. Perused the Case Diary and other materials on record.

On such hearing and perusal we are of the view that benefit under Section 438 of the Code can be extended to the petitioner and another co – accused is already on bail. We are of the view that custodial interrogation of petitioner is not necessary.

Accordingly the petitioner is entitled to get benefit under Section 438 of the Code of Criminal Procedure.

In the event of arrest, the petitioner may find bail upon furnishing a bond of Rs. 5,000/- (Rupees ten thousand), with two sureties of like amount to the satisfaction of the learned CJM, Jalpaiguri. The petitioner will also abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

CRM (A) 849 of 2023 is disposed of.

(Partha Sarathi Chatterjee,J.)

(Md. Nizamuddin, J.)