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

CRM (A) 720 of 2022

In Re:- An application for bail under Section 438 of the Code of Criminal Procedure filed on 30.11.2022 in connection with Dinhata Women Police Station Case No. 46 of 2022 dated 17.05.2022 under Sections 498A/304B of the Indian Penal Code.

In the matter of : Sajal Deb and others

... Petitioners

Mr. Sudip Guha

...for the Petitioners.

Mr. Ujjal Luksom,
Ms. Namrata Das

.....for the State.

Learned counsel for the petitioners submits that the petitioners are matrimonial relatives of the deceased person. The principal accused, that is, the husband of the deceased, and not the present petitioners, bore the brunt of allegations, as borne out by the First Information Report.

Although learned counsel for the State submits that certain incriminating statements against the petitioners have been made by the witnesses in their statements taken under Section 161 of the Code of Criminal Procedure, we feel that the petitioners are entitled to anticipatory bail on the basis of the materials on record and in view of the allegations against the petitioners being on a lesser footing than the husband of the victim.

Accordingly, CRM (A) 720 of 2022 is allowed, thereby granting anticipatory bail to the petitioners on condition that the petitioners shall comply with the conditions as stipulated in Section 438(2) of the Code of Criminal Procedure.

In the event of arrest, the petitioners, namely, Sajal Deb, Tinku Deb @ Tinku Deb Paul and Pinki Deb @ Pinki Deb Paul, shall be released on bail upon furnishing a bond of Rs.10,000 (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Sessions Judge, Cooch Behar and on further condition that the petitioners shall, in such event, meet the Investigating Officer once in a fortnight.

CRM (A) 720 of 2022 is, accordingly, disposed of.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)