

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

07.03.2024

Court No.1

Item.127

(Srimanta)

CRM(A) 151 OF 2024

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with Falakata Police Station Case No. 34/2024 dated 20.01.2024 under Sections 498A/325 of the Indian Penal Code.

And

In the matter of: **Tupai Saha & Ors.**

. . .Petitioners.

Mr. Joydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik,
Mr. Shubham Kumar,
Ms. Rikta Sarkar

... For the petitioners.

Mr. Kallol Acharjee,
Mr. Dhiman Sil

...For the State.

1. . Considering the fact that the victim lady left her matrimonial home two months before the alleged incident and the medical report which describes the injury as 'simple', we are inclined to grant the prayer for anticipatory bail as the custodial interrogation of the petitioners is not required.
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) 151 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)