

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

11.03.2024

Court No.1

Item.112

(Srimanta)

CRM(A) 160 OF 2024

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with G. R. Case No. 4279/2023 arising out of Matigara Police Station Case No. 922/2023 dated 11.11.2023 under Sections 498A/304B of the Indian Penal Code, 1860 read with Sections 3/ 4 of the Dowry Prohibition Act.

And

In the matter of: **Upen Singha & Ors.**

. . .Petitioners.

Mr. Arnab Sengupta,
Mr. Deborshi Dhar,
Mr. Rahul Mohanta

... For the petitioners.

Mr. Kallol Acharjee,
Ms. Namrata Das

...For the State.

1. The statement recorded by the Police Authority under Section 161 of the Code of Criminal Procedure mentions petitioner nos. 1 and 2 but not petitioner no. 3. The petitioner no. 3 is one of the sister-in-laws of the deceased victim. The other sister-in-law was released on anticipatory bail by a Coordinate Bench on 29th January, 2024 (CRM(A)/1041/2023). Since we are informed that the husband of the deceased victim has

been granted statutory bail and the petitioners before us are the father-in-law and the mother-in-law of the victim, we are of the view that custodial interrogation of the petitioners before us is not required. In any event, the petitioner no. 3 is not mentioned in the 161 statement as stated above.

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) 160 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)