

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

01.04.2024
Court No.01
rpan/ 195

CRM (A) 194 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re: Jyotsna Saha @ Jyotsna Rani Saha

- Petitioner

Mr. Sudip Guha,
Mr. Sandip Guha Roy
...for the Petitioner.

Mr. Kallol Acharjee,
Mr. Kallol Nag
...for the State.

Apprehending arrest in connection with Mathabhanga Police Station Case No.525 of 2023 dated 01.10.2023 under Sections 498A/306 of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act, the present application has been preferred.

Mr. Guha, learned advocate appearing for the petitioner submits that the petitioner is the mother-in-law, who is aged about 64 years. Her son's marriage was solemnized 14 years ago and she has been falsely implicated. Upon completion of investigation chargesheet has also been submitted and as such, her custodial interrogation may not be necessary.

The learned advocate appearing for the State, however, opposes the petitioner's prayer and draws our attention to the statements of the witnesses and other materials in the case diary.

Having heard the learned advocates and considering the materials on record in the light of the arguments as advanced, the nature of allegations and the extent of complicity of the petitioner in

the alleged offence, we are of the opinion that her custodial interrogation is not necessary, moreso when upon completion of investigation chargesheet has already been submitted and there is also no scope that the petitioner would flee from justice.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Jyotsna Saha @ Jyotsna Rani Saha** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail, being CRM (A) 194 of 2024, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Biswaroop Chowdhury, J.)

(Tapabrata Chakraborty, J.)