

22.04.2024
Court No.01
Item No. 201

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

Allowed

sg

CRM (A) 304 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Dinhata Police Station Case No. 599 of 2016 dated 11.07.2016 under Sections 498A/304B/306 of the Indian Penal Code.
And

In Re: **Sambhu Barman.**

Petitioner

Mr. Sudip Guha
Mr. Sandip Guha Roy
Mr. Ananda Paul

For the Petitioner

Mr. Kallol Acharjee
Mr. Tapan Bhattacharjee

For the State

1. It is submitted that out of six accused persons, three were granted bail, one has been absconding, one accused person has died and the other person is the present petitioner.
2. The petitioner is the brother-in-law of the victim. The cause of death appears to be anti-mortem as revealed from the post mortem report. All other accused persons are on bail. Charge sheet has already been filed in the year 2016.
3. Considering the nature of involvement of the alleged petitioner in the commission of alleged offence as revealed from the case diary and the fact that the other accused persons are all on bail, the custodial interrogation of the present petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely **Sambhu Barman**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, and subject to

the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, to the satisfaction of learned Additional Chief Judicial Magistrate, Dinhata and with a direction to appear before the learned Trial Court positively within a period of fortnight from the date of passing of the order.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. CRM (A) 304 of 2024 is, thus, disposed of.
7. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Soumen Sen, J)

(Partha Sarathi Sen, J)