

22.04.2024
Court No.01
Item No. 206

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

Allowed

sg

CRM (A) 309 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ghoksadanga Police Station Case No. 1 of 2024 dated 01.01.2024 under Sections 498A/304B of the Indian Penal Code.
And

In Re: **Chandan Adhikary @ Adhikari & Anr.**
Petitioners

Mr. Sourav Ganguly
Ms. Rishita Chakraborty

For the Petitioners

Mr. Ujjwal Luksom
Mr. Chattu Roy

For the State

1. It is submitted on behalf of the petitioners that considering the fact that the present accused petitioners are in no way involved in the alleged crime, the instant application for anticipatory bail may be considered for him.
2. While opposing the prayer for anticipatory bail, the learned Counsel appearing for the State draws our attention to the statements of the relatives of the deceased lady as recorded under Section 164 of the Cr.P.C.
3. From the materials as collected during investigation and as placed before us, it reveals that death of the deceased was suicidal in nature at least prima facie. Though there are some incriminating materials regarding additional demand of dowry and mental and physical harassment at the instance of the present two accused petitioners who are father-in-law and brother-in-law of the deceased, however, we consider that custodial interrogation of the present accused petitioners are not necessary for the purpose of investigation.

4. Accordingly, we direct that in the event of arrest, the accused/petitioners, namely, **Chandan Adhikary @ Adhikari and Girendra @ Girin Adhikary**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two registered sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further ordered that the petitioner No.1 shall meet the Investigating Officer as and when called for till the submission of the final report. It is further ordered that the petitioner No.2 shall meet the I.O. as and when called for but not after sunset at the P.S.
5. The application for anticipatory bail is, thus, allowed. CRM(A) 309 of 2024 is, thus, disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Partha Sarathi Sen, J)