

29.04.2024
Court No.01
Item No. 141
Allowed

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

ar

CRM (A) 363 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Sahebganj Police Station Case No. 166 of 2024 dated 24.3.2024 under Sections 498A/304B of the Indian Penal Code, 1860.

And

In Re: **Basanti Roy & Ors.**

Petitioners

Mr. Sudip Guha

For the Petitioners

Mr. Abhijit Sarkar
Mr. Sanjiv Das

For the State

1. Heard the learned counsel appearing for the parties.
2. The petitioner no. 1 is the mother-in-law, the petitioner no. 2 is the father-in-law, the petitioner no. 3 is the brother-in-law and the petitioner no. 4 is the wife of the petitioner no. 3 of the deceased lady.
3. Admittedly, the death occurred within a few months from the date of marriage of the deceased. Such death is suicidal in nature.
4. On perusal of the statements of the witnesses as recorded under Section 161 Cr.P.C so far, we, however, find no much material to attract the provision of Section 304B as against the present accused petitioners.
5. In view of such, we are inclined to grant anticipatory bail to the present accused petitioners.
6. Accordingly, we direct that in the event of arrest, the petitioners, namely, Basanti Roy, Dharendra Nath Roy, Nabakumar Roy and Pinki

Adhikary (Roy) shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner no. 2, **Dhirendra Nath Roy** and the petitioner no. 3, **Nabakumar Roy** shall meet the Investigating Officer once in a week till the submission of the final report and the petitioner no. 1, **Basanti Roy** and the petitioner no. 4, **Pinki Adhikary (Roy)** shall meet the Investigating Officer, as and when called for, till the submission of the final report.

7. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
8. CRM (A) 363 of 2024 is, thus, disposed of.
9. 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)