

02.05.2024  
Court No.01  
Item No. 62  
**Partly  
Allowed**

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

ar

**CRM (A) 376 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. 180 of 2024 dated 20.3.2024 corresponding to G.R Case No. 168 of 2024 under Sections 306/34 of the Indian Penal Code,1860.

And

In Re: **Lila @ Leela Sharma & Ors.**

Petitioners

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

For the Petitioners

Mr. Ujjal Luksom  
Mr. Chattu Roy

For the State

1. Heard the learned counsel for the parties.
2. At the very outset learned counsel for the petitioners not presses the application for anticipatory bail in respect of petitioner no. 1, Lila @ Leela Sharma and the petitioner no. 2, Keshto @ Keshta Sharma, since they have been arrested in the mean time. Such being the position, the prayer for anticipatory bail in respect of petitioner no. 1, Lila @ Leela Sharma and the petitioner no. 2, Keshto @ Keshta Sharma stands rejected being infructuous.
3. On perusal of the entire materials placed before this Court including the P.M report of the deceased it appears that the death of the deceased is suicidal in nature. Admittedly, there are allegations of harassment of

the deceased, during her stay at her matrimonial home, by the accused petitioner nos. 3, 4 and 5 who are the inmates of her matrimonial home.

4. However, keeping in mind that this not a fit case for custodial interrogation of the petitioner nos. 3, 4 and 5, we allow the prayer of anticipatory bail in respect of petitioner nos. 3, 4 and 5.
5. Accordingly, we direct that in the event of arrest, **the petitioner no. 3, Tapas Sharma @ Bhuttu, the petitioner no. 4, Dipak Sharma @ Khattu and the petitioner no. 5, Krishna Barman** shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, subject to the satisfaction of the Arresting Officer. It is further ordered that the petitioner no. 3, **Tapas Sharma @ Bhuttu** and the petitioner no. 4, **Dipak Sharma @ Khattu** shall meet the Investigating Officer once in a week till the final report is filed and the petitioner no. 5, **Krishna Barman** shall meet the Investigating Officer as and when called till the submission of final report.
6. CRM (A) 376 of 2024 is, thus, disposed of.
7. 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)**

