

15.05.2024

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Allowed

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M. (A) No. 403 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Siliguri Police Station Case No. 214 of 2024 dated 08.03.2024 under Sections 498A/326/307/302 of the Indian Penal Code.

And

In Re : Md. Raja @ Md. Rama & Ors. petitioners

Mr. Hillol Saha Podder

.....for the petitioners

Mr. Kallol Acharjee

Mr. Kallol Nag

....for the State

1. Learned Counsel for the petitioners submit they are the in-laws of the de facto complainant housewife. Her mother had been murdered by her husband. Petitioners who are her in laws have been falsely implicated. They pray for anticipatory bail.

2. Learned Counsel for the State submits petitioners had ill treated the wife. Thereafter her husband assaulted the de facto complainant and murdered her mother.

3. We have considered the materials on record. Allegation of assault upon the mother of the de facto complainant/wife is not against the petitioners. They are alleged to have ill treated the de facto complainant. Principal accused i.e. the husband is in custody. Keeping in mind the

aforesaid facts and extent of complicity of the petitioners in the crime we are inclined to grant anticipatory bail to them.

4. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that they shall appear before the court below and pray for regular bail within a period of four weeks from date.

5. The application for anticipatory bail is, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)