

12.06.2024
(D/L 7)
Ct. No.1
(Allowed)
(SKB)

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

C.R.M.(A) 434 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with New Jalpaiguri P. S. Case No.271 of 2024 dated 26.03.2024 under Sections 498A/304B of the Indian Penal Code corresponding to G.R. Case No.1429 of 2024 pending before the court of the learned Chief Judicial Magistrate, Jalpaiguri.

In the matter of : Dulali Das
@ Anjana Das Sarkar and another
... Petitioners

Mr. Jaydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik,
Mr. Shubham Kumar,
Ms. Rikta Sarkar,
Ms. Sayantani Das
... for the petitioners

Mr. Abhijit Sarkar,
Mr. Saikat Chatterjee
... for the State

1. Heard learned counsel for the petitioner and the learned State counsel.
2. The two petitioners before this court are married sister-in-laws of the victim.
3. It is submitted by the learned counsel for the petitioners that they are having their own life and have been dragged in the present case extraneously by virtue of their relationships.
4. The learned counsel for the State has opposed the prayer for anticipatory bail. He has submitted that the death has occurred within five months of the marriage and the

statement of the mother/defacto complainant as well as one neighbour supports the fact that in the morning of the fateful day, there was an altercation between the victim and the present petitioners.

5. Considering the rival submissions and having gone through the statements referred to and relied upon by the learned State counsel, we find that there is *prima facie* verbatim repetition of the same version of the morning altercation in the statements. Since the petitioners were married sister-in-laws and having separate life and livelihood, we are inclined to allow the anticipatory bail to the petitioners.
6. Accordingly, it is directed that the petitioners shall be released on bail by the Arresting Officer in the event of their arrest in the G.R. Case No.1429 of 2024 arising out of the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions that the petitioners shall cooperate in the investigation as and when required but between sunrise to sunset. The petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.

8. Within 15 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
9. The application being CRM(A) 434 of 2024 is disposed of.
10. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Madhuresh Prasad, J.)

(Partha Sarathi Chatterjee, J.)