

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

05.07.2024
Court No.1
(D/L 16)
(allowed)

CRM (A) 499 OF 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Dhupguri Police Station Case No.26 of 2024 dated 26.01.2024 under Sections 498A/306 of the Indian Penal Code,1860 corresponding to G.R. Case No. 345 of 2024.

And

In the matter of: **Brajendra Sarkar & Anr.**

... Petitioners.

Mr. Jaydeep Kanta Bhowmik
Ms. Debi Sarkar
Mr. Shubham Kumar
Ms. Priti Das

... for the petitioners.

Mr. Ujjawal Luksom
Mr. Dhiman Sil

... for the State.

Learned counsel appearing for the petitioners submits that the petitioners are the parents-in-law of the victim lady. They are aged persons and the charge-sheet has already been filed. In the above pre-text the petitioners prays for anticipatory bail.

Learned counsel appearing for the State submits that death of the victim lady occurred within three and half years of her marriage and the victim lady used to reside with the parents-in-law/petitioners house.

We have considered the case diary. The husband of the victim lady has been granted bail and the charge-sheet has already been

filed. As the petitioners are aged persons and charge-sheet has already been filed, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners be granted bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount to the satisfaction of the arresting officer and subject to the conditions that the petitioners shall appear before the Trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. In default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

The application for anticipatory bail is, accordingly, allowed.

[MD. SHABBAR RASHIDI, J.]

(RAJARSHI BHARADWAJ, J.)