

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

12.07.2024
Court No.1
(D/L 9)
(Allowed)

CRM (A) 504 OF 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita filed on 09.07.2024 in connection with Women Police Station Case No. 29 of 2024 dated 27.03.2024 under Sections 498A/302/34 of the Indian Penal Code.

And

In the matter of: **Hamedul Hage @ Hamidul Hoque**

... Petitioner.

Mr. Subrata Karmakar
Ms. Madhumita Sarkar
Ms. Rinka Chakraborty

... for the petitioner.

Mr. Sourav Ganguly
Mr. Dhiman Sil

...for the State

Learned counsel appearing for the petitioner submits that the principal accused is in bail and the present petitioner is the son of the victim and he has been falsely implicated in this case.

Learned counsel further prays for anticipatory bail.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

We have considered the case diary including the post mortem report. The charge-sheet has already been filed. As the principal accused has already been granted bail and whether there is any abatement will be looked into at the time of trial. Under such circumstances, we are of the opinion that custodial interrogation of the petitioner is not necessary and the petitioner may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioner be granted bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the arresting officer and on further condition that the petitioner shall appear before the trial court on each and every date of hearing 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The application being CRM (A) 504 of 2024 for anticipatory bail is, accordingly, allowed.

[MD. SHABBAR RASHIDI, J.]

(RAJARSHI BHARADWAJ, J.)