

12.08.2024.

Item No. 18

Court No.1

ap

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

C.R.M. (A) No. 509 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 11.07.2024 in connection with Sitai Police Station Case No. 83 of 2024 dated 07.04.2024 under Sections 498A/306 of the Indian Penal Code.

And

In the matter of: **Lalbahadur Biswas & Ors.** ...petitioners

Mr. Sudip Guha. ...For the petitioners

Mr. Ujjwal Luksom,
Ms. Sukanya Adhikary.For the State

1. The application for anticipatory bail is filed by the petitioner no.1, the father-in-law, the petitioner no.2, the mother-in-law and the petitioner no.3, the brother-in-law of the victim.

2. The principal accused/husband has been enlarged on bail after being in custody for a considerable period of time by the learned Additional Sessions Judge, Dinhata on 26th June, 2024.

3. It appears from the statements of the witnesses that the allegations against the petitioners are generic in nature. The post-mortem report indicates that the death by suicide. The victim died fourteen years after her marriage.

4. In those circumstances, this Court is of the view that the petitioners have made out a good case for anticipatory bail. The petitioners shall be entitled to anticipatory bail.
5. It is directed that in the event of arrest, the petitioners shall be released on bail to the satisfaction of the arresting officer upon furnishing a Bond of Rs.10,000/- each, with two sureties of Rs.5,000/- each, one of whom must be local.
6. This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure corresponding to Section 482(2) of the BNSS, 2023.
7. The Case Diary be returned.
8. C.R.M. (A) No. 509 of 2024 is, thus, disposed of.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)

(Rajasekhar Mantha, J.)