

12.08.2024.

Item No. 28

Court No.1

ap

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

C.R.M. (A) No. 520 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 15.07.2024 in connection with Mekhliganj Police Station Case No. 147 of 2024 dated 22.04.2024 under Sections 498A/328/304B of the Indian Penal Code.

And

In the matter of: **Bharati Roy.** ...petitioner

Mr. Debasish Mukherjee,
Ms. Srishti Sarker. ...For the petitioner

Mr. Ujjwal Luksom,
Mr. Chattu Roy.For the State

1. The application for anticipatory bail is filed by the mother-in-law of the victim on the ground that the principal accused/husband has been enlarged on bail on 13th June, 2024.

2. This Court is not fully satisfied with the order of the learned Additional Sessions Judge, Mekhliganj, Cooch Behar granting bail to the principal accused.

3. This Court finds that the allegations against the petitioner, namely, mother-in-law, are rather vague and generic in nature. This Court also finds that there are no specific details of the dates, time and nature of torture and the offences committed by the petitioner in the complaint.

4. In the above circumstances, this Court is inclined to grant anticipatory bail to the petitioner.
5. It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the arresting officer upon furnishing a Bond of Rs.10,000/-, 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. 520 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.)