

JPD-05
Ct No.01
31.07.2024
AK

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

CRM (A) 575 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Jalpaiguri Women Police Station Case No. 46 of 2024 dated 30.04.2024 under Sections 498A/302/34/120B IPC, 1860.

And

In the matter of: **Najrul Haque**

.... petitioner

Mr. Sudip Guha

... for the petitioner

Mr. Aditi Shankar Chakraborty
Mr. Subhasish Mishra

... for the State

1. Learned counsel for the petitioner submits that the petitioner is about 74 year old and was the father-in-law of the victim lady.
2. It is contended that the petitioner resided separately from the family at all points of time.
3. It is further submitted that in view of the age of the petitioner and the circumstances, there was no direct involvement of the petitioner.
4. Learned counsel for the State seriously opposes the prayer for anticipatory bail and submits that as per all the statements under Section 161 of the CrPC, there was direct and active involvement of the petitioner as well in the offence.

5. Upon considering the gravity of the offence, we are not inclined to grant anticipatory bail to the petitioner.
6. However, leave is granted to the petitioner to surrender before the jurisdictional court and pray for regular bail.
7. Accordingly, CRM (A) 575 of 2024 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Prasenjit Biswas, J.)