

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

05.10.2024

10
S.D.
Allowed

C.R.M.(A) 740 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **NJP** Police Station Case No. **367** of **2024** dated **23.04.2024** under Sections 498(A)/306/304B of the B.N.S.

And

In Re : Smt. Ani @ Anita Roy @ Anita Yadav

..... petitioner

Dr. Arjun Chowdhury

Mr. Bikash Singha

....for the petitioner

Mr. Kallol Acharjee

Mr. Kallol Nag

....for the State

Ms. Sukanya Adhikary

..for the defacto complainant

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the principal accused was granted bail by the Jurisdictional Court. Police filed charge sheet. Therefore, custodial interrogation of the petitioner is not required.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

Learned advocate appearing for the defacto complainant submits that, the death occurred within 18 months of marriage. At the time of death, victim was three months' pregnant.

Husband was granted bail by the Jurisdictional Court. Police filed charge sheet.

In such circumstances, we do not feel the requirement of placing the petitioner in custody. More so, she is a lady.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the B.N.S.S.,2023 and on further condition that the petitioner will cooperate with the investigation till the conclusion of the investigation. The petitioner shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

