

29.11.2024
SI No.47
s.biswas
(Allowed)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM (A) 851 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS in connection with **NJP** Police Station Case No. **367/2024** dated **23.04.2024** under Sections **498A/306/304B** of the IPC.

And

In the matter of: **Smt. Malati Barman @ Malati Yadav**

... Petitioner

Dr. Arjun Chowdhury
Ms. Pratusha Dutta Chowdhury
Ms. Riya Agarwal
Mr. Koushik Kumar Kanu
Ms. Tulip Saha
Mr. Dibyajyoti Bhowmik

... for the petitioner

Mr. Kallol Acharjee
Mr. Kallol Nag

... for the State

1. Petitioner is the mother-in-law of the victim. Petitioner prays for anticipatory bail on the ground that principal accused is already on bail and the investigation is complete.
2. Learned counsel for the State produces the case diary and opposes the prayer for anticipatory bail of the petitioner.
3. Considering the materials on record, the role allegedly played by the petitioner and further considering the fact that investigation is complete and charge-sheet has been filed, we are of the view that custodial interrogation of the petitioner is not necessary. The principal accused is on bail. The benefit of Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. can be extended to the petitioner.

4. Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of equal amount each, to the satisfaction of the learned Chief Judicial Magistrate, Jalpaiguri and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of BNSS. The petitioner shall appear before the jurisdictional court on the dates fixed.
5. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)