

02.12.2024
SI No.4
srm/Mujahid
(Allowed)

Calcutta High Court
In The Circuit Bench at Jalpaiguri
CRM(A) 884 of 2024

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/Section 482 of the B.N.S.S. filed on **07.11.2024** in connection with **Siliguri Women** P.S. Case No. **12/2024** dated **19.03.2024** under Sections **498A/323/307/506** of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act,1961.

And

In the matter of: Hassan Raja @ Hasan Raza	... Petitioner
Mr. Somraj Paul	... for the petitioner
Mr. Kallol Acharjee, Mr. Dhiman Sil	... for the State

The order dated November 25, 2024 is recalled on the prayer of the learned Advocate for the petitioner who has mentioned the matter on an urgent basis before us.

The petitioner prays for anticipatory bail. According to the petitioner, he has been falsely implicated.

Learned Advocate for the State opposes the prayer and produces the case diary.

Upon perusal of the injury report, the materials in the case diary and specially because the investigation is complete and the charge-sheet has been submitted, we are inclined to 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.25,000/-, with two sureties of equal amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Siliguri. The petitioner shall appear before the jurisdictional court on the dates fixed. The petitioner will not tamper with evidence and shall not intimidate witnesses.

In case the petitioner fails to adhere to any of the conditions mentioned hereinabove and in Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of B.N.S.S., the learned jurisdictional court shall be entitled to cancel the bail without further reference to this Court.

The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee J.)

(Shampa Sarkar, J.)