

19. 10.04.2025
Court
No.1 (Papiya)

Allowed

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

CRM (A) 266 of 2025

In Re: - An application for anticipatory bail under Section 438 of the Code of criminal Procedure of 1973/482 of Bharatiya Nyaya Suraksha Sanhita, 2023, in connection with **Birpara Police Station Case No. 128 of 2016** dated **26/08/2016** under Sections **498A/494/307** of the Indian Penal Code, 1860.

And

In the matter of: - **Rajina Khatun @ Rezina Khatun @ Jarina Bibi & Ors.**

...petitioners.

Mr. Arnab Saha, Adv.

...for the petitioners.

Mr. Tapan Bhattacharjee, Adv.
Mr. Dhiman Sil, Adv.

...for the State.

1. The petitioner nos. 1 and 2 are the parents-in-law of the victim lady. The petitioner no. 3 is the brother-in-law and the petitioner no. 4 is the married sister-in-law of the victim lady.
2. They say that they have absolutely no role to play in the alleged offence punishable under Sections 498A/307 IPC. They pray for anticipatory bail.
3. Learned State Advocate shows me the material in the case diary. From the medical report I see that the victim lady suffered no injury. No injury mark was found on her body. I have also seen the statements of witnesses recorded under Section 161 Cr.P.C. (corresponding to Section 180 of Bharatiya Nagarik Suraksha Sanhita, 2023). The allegations are mainly against the husband of the victim lady.

4. On an overall assessment of the material on record and considering the possible extent of complicity of these petitioners in the alleged offence and also noting that charge sheet has already been filed, I am of the opinion that immediate custodial interrogation of these petitioners may not be necessary so long as they cooperate with the police.
5. Hence, I am inclined to **allow** their prayer for anticipatory bail.
6. Accordingly, in the event of arrest, the petitioners, namely, **Rajina Khatun @ Rezina Khatun @ Jarina Bibi, Md. Abdul Razzak @ Abdul, Md. Kadir @ Abdul Kader @ Kadar** and **Fatema Khatun**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, until further orders and on further condition that the petitioner nos. 2 and 3 shall meet the Officer-in-Charge/Inspector-in-Charge of the concerned police station once in a fortnight and as and when call for, until further orders. Within seven days from date, the petitioner nos. 2 and 3 shall go and meet the Officer-in-Charge/Inspector-in-Charge of the concerned police station and the petitioner nos. 1 and 4 shall cooperate in further investigation, if any.
7. The application for anticipatory bail being CRM (A) 266 of 2025 is, thus, **allowed** and disposed of.

8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)