

28.01.2020  
RP/ct 1  
sl no. 34  
Allowed

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

**C.R.M. 120 of 2020**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 24.01.2020 in connection with Ghoksadanga P.S. Case No.180 of 2019 dated 07.07.2019 under sections 498A/304B/34 of Indian Penal Code.

And

In Re : Fajia Bibi @ Fajiya Bibi & Anr. .... applicants

Mr. Arnab Saha

..... for applicants

Mr. Tapan Bhattacharjee

Mr. Aniruddha Biswas

.....for State

Mr. Saha, learned advocate appears on behalf of applicants and submits, anticipatory bail be granted to his clients in connection with Ghoksadanga P.S. Case no.180 of 2019 dated 07.07.2019 under sections 498A/304B/34 in Indian Penal Code. He submits, his clients are sister-in-law of the deceased and her husband. Principal accused/husband has been enlarged on bail. On said bail application being moved, State only prayed for judicial custody. Custodial interrogation of principal accused was or is not necessary, far less of applicants. Mr. Bhattacharjee, learned advocate appears on behalf of State and hands up the case diary drawing attention to page nos.7 to 12, being statements of neighbours. Page 65 is postmortem report. No dying declaration was obtained.

Considering statement made on behalf of applicants, regarding principal accused having been enlarged on bail and

materials in the case diary, we are inclined to grant anticipatory bail.

Applicants, in event of arrest, shall be released on anticipatory bail by furnishing bond of Rs.10,000/- (Rupees Ten-Thousand only) each with two sureties of Rs.5,000/- (Rupees Five-thousand only) each, one of whom must be local, having landed property, to the satisfaction of Arresting Officer and shall be subject to the condition, as in section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that applicants shall surrender before the Court below and obtain regular bail within a fortnight from date of this order.

The application for anticipatory bail is allowed.

**(Arindam Sinha, J.)**

**(Biswajit Basu, J)**