

**28.01.2020**

Sl. No.17

ns

Ct. No.1

**CALCUTTA HIGH COURT**

*In the Circuit Bench at Jalpaiguri*

**C. R. M. 1001 of 2019**

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 08.11.2019 in connection with Tufanganj Police Station Case No.458 of 2019 dated 16.08.2019 under Sections 498A/302/34 of the Indian Penal Code.

And

In Re: ***Saiful Islam & Ors.***

... .. Applicants

Mr. Sabir Ali,  
Mr. Kalipada Das

.... For applicants.

Mr. Kallol Acharjee,  
Ms. Namrata Das

... for State.

Mr. Das, learned advocate appears on behalf of applicants and submits, his clients are parents of principal accused in connection with Tufanganj Police Station Case no.458 of 2019 dated 16.08.2019 under sections 498A/302/34 of Indian Penal Code. He submits, the married couple lived separately. His clients are residents of locality within limits of Boxirhat Police Station. Their son, principal accused, is on bail granted by lower Court. Mr. Acharjee, learned advocate appears on behalf of State and hands up the case diary. He draws attention to post mortem report and statement made under section 161 of Code of Criminal Procedure, 1973. He submits further, investigation is ongoing and charge sheet is yet to be filed. He opposes the application.

Considering that principal accused has been granted bail, we are inclined to grant anticipatory bail to applicants.

Applicants, in event of arrest, shall be released on bail by furnishing bond of Rs.10,000/- (Rupees Ten Thousand Only) with two

sureties of 5,000/- (Rupees Five Thousand) 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 and on further condition that applicants shall surrender before the Court below and obtain regular bail within a fortnight from date of this order.

Criminal miscellaneous application, C. R. M. 1001 of 2019, is disposed of.

**(Arindam Sinha, J.)**

**(Biswajit Basu, J.)**