

20.04.2021

Court No.28
rpan/13

C.R.M. 3056 of 2020
With
CRAN 2 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In re: **Minakshi Roy & Another**

.....Petitioners

Mr. S. Das Mahapatra

For the Petitioners

Mr. Nguive Ahmed

For the State

Apprehending arrest in connection with Kotwali Police Station Case No. 213 of 2020 dated 03.03.2020 under sections 498A/302/34 of the Indian Penal Code, 1860 and Sections 3 / 4 of the Dowry Prohibition Act, the petitioners have filed the present application.

The petitioners are the parents-in-law of the victim, who alleged to have committed suicide.

The coordinate Bench passed an interim order of **not to arrest** the petitioners on certain conditions. The coordinate Bench was also of the view that there is no material on record to connect the petitioners with the alleged crime. Today, this matter was taken up for consideration. The above order was passed on 16th April, 2020, i.e., more than a year ago. In view of the fact that no adverse report has been received by Mr. Ahmed, learned advocate appearing on behalf of the State showing non-compliance of the order dated 16th April, 2020 and also having regard to the nature and extent of complicity of the petitioners

in the commission of the alleged offence, we are of the view that custodial detention of the petitioners is not required.

Accordingly, we allow this application and direct that in the event of arrest the petitioners, namely, **Minakshi Roy** and **Prithwish Roy** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 with a further condition that the petitioner no. 2 shall meet with the Officer-in-Charge of the Kotwali Police Station once in two weeks.

This order of anticipatory bail will remain in force for a period of eight weeks from date, within which period the petitioners shall approach/surrender before the learned Jurisdictional Court and pray for regular bail.

With the aforesaid observations, the application for anticipatory bail, being CRM No. 3056 of 2020, and the application for confirmation of interim order, being CRAN 2 of 2021, are, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)