

06.07.2021

Court No.30

rpan / **08**

CRM 9776 of 2020
(Via video Conference)

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

And

In Re : **Sunil Kha @ Sunil Khan & Another**

...Petitioners

Mr. Faria Hossain,

Mr. Aniket Mitra

... for the State.

Apprehending arrest in connection with Amta P.S. Case No.330 of 2020 dated 11.11.2020 under Sections 498(A)/302/304B/34 of the Indian Penal Code and read with Sections 3/4 of the Dowry Prohibition Act, the petitioners have filed the present application.

The petitioners herein are the father-in-law and the mother-in-law respectively of the deceased. The petitioner no.1 is aged about 60 years and the petitioner no.2 is aged about 50 years. It has, *inter alia*, been alleged in the complaint that within a year of marriage, the petitioners herein have instigated the deceased to commit suicide.

Mr. Mitra, learned advocate appearing for the State submits the principal accused, being the husband of the deceased, had already been arrested and presently is in custody. However, investigation is still continuing.

We have heard Mr. Mitra and considered the materials in the case diary. The allegations, as to whether the petitioners herein have abetted the deceased to commit suicide, may be decided at

the time of trial. Considering the nature of allegations and since the petitioners are aged persons, it is not likely that they would interfere with the investigation or delay the trial by abscondence. As such, the petitioners' prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioners, namely, **1. Sunil Kha @ Sunil Khan** and **2. Shyamali Khan**, shall be released on bail upon furnishing a bond of ₹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.1 shall meet with the Investigating Officer once a fortnight on and from 12th July, 2021 until further orders.

The application for anticipatory bail, being CRM No. 9776 of 2020 is, thus, disposed of.

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

(Suvra Ghosh, J.)

(Tapabrata Chakraborty, J.)