

13.12.2021
SL No.11
Court No.1
(gc)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 488 of 2021
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Falakata Police Station Case No.41 of 2021 dated 18.02.2021 under Sections 498A/306 of the Indian Penal Code.

And

In the matter of : **Susanta Roy & Ors.**

- Petitioners.

Mr. Sabir Ahmed,
Mr. Hillol Shah Poddar,
... For the Petitioners.

Mr. Abhijit Sarkar,
Ms. Namrata Das,
... For the State.

The learned Counsel for the petitioners submits that the petitioners have been falsely implicated in the instant case.

The learned Counsel for the prosecution, however, opposes the prayer for anticipatory bail.

Considering the materials available on record and the nature and involvement of the petitioners in the commission of alleged offence, we are inclined to grant anticipatory bail to the petitioners Nos.2 and 3. However, the prayer for anticipatory bail to the petitioner No.1 is denied. As such, the prayer for anticipatory bail of the petitioners is partly allowed.

Accordingly, we direct that in the event of arrest the petitioner No.2, namely, **Sandhya Roy** and the petitioner No.3, namely, **Mano 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.

It is further directed that the petitioner No.3 shall meet the Investigating Officer of the case twice in a month till the charge-sheet is filed and will cooperate with the Investigating Officer.

The application for anticipatory bail, being CRM No.488 of 2021 and the connected application being CRAN 1 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.

(Biswajit Basu, J.)

(Soumen Sen, J.)