

28 06.01.2022
(AD
& Court No.29
Sub (Allowed)
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**C.R.M. (A)16 of 2022
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** P.S. Case No. **222 of 2021** dated **24/06/2021** under Sections **498A/304B/34** of the Indian Penal Code.

And

In the matter of: Roky Khan & Anr.

....petitioners.

Mr. Sujata Das

...for the petitioners.

Mr. Saswata Gopal Mukherji, Ld. PP

Mr. Partha Pratim Das

Ms. Pritha Paul

...for the State.

It is submitted on behalf of the petitioners that the petitioner no.1 is the nephew-in-law of the deceased and petitioner no.2 is his wife. They did not play any role in matrimonial life of the petitioners who have been falsely implicated in the instant case.

Learned Advocate for the State opposes the prayer for bail and submits that the victim committed suicide within five years of marriage.

We have considered the materials on record. Allegations are general and omnibus. Keeping in mind the nature of allegations in the light of the aforesaid submission that the petitioners did not play any role in the matrimonial life of the couple and as investigation is complete, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- each with two sureties of like amount each, to the

satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The petitioners shall appear before the Court below and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. (A) 16 of 2022 is, thus, disposed of.

(Bibhas Ranjan De, J.)

(Joymalya Bagchi, J.)