

**11.07.2022.**

Item No. 22

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*CALCUTTA HIGH COURT  
IN THE CIRCUIT BENCH AT JALPAIGURI  
APPELLATE SIDE*

**C.R.M. (A) No. 339 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 07.07.2022 in connection with Kotwali Police Station Case No. 818 of 2021 dated 16.08.2021 under Sections 498A/304B of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act, 1961.

And

In the matter of: **Manika Ray @ Moni Barman & Anr.**

...petitioners

Ms. Suman Sehanabis (Mandal),  
Mr. Alok Sah.

...For the petitioners

Mr. Arun Kumar Sarkar,  
Ms. Namrata Das.

....For the State

Anticipatory bail is canvassed, inter alia, on the ground that the principal accused-husband has already been allowed bail by this Court in C.R.M. (DB) No. 235 of 2022 today.

It appears from the record that the mother-in-law, father-in-law and brother-in-law have already been allowed anticipatory bail by a Co-ordinate Bench of this Court in C.R.M. (A) No. 156 of 2022 by an order dated 19<sup>th</sup> April, 2022.

Counsel for the State opposes the prayer for anticipatory bail.

Having heard the Counsels for the parties and considering the aforesaid fact, this Court is inclined to allow the anticipatory bail of the petitioners on parity.

It is directed that in the event of arrest, the petitioners shall be released on bail to the satisfaction of the arresting officer upon furnishing a Bond of Rs.10,000/- each on condition that the order shall remain valid for a period of two weeks within which the petitioners shall surrender before the court concerned for regular bail.

It is further directed that the petitioners shall co-operate with the investigation and make themselves available for questioning to the Investigating Officer of the case once in a fortnight until further orders. The petitioners shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.

This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure.

The Case Diary be returned.

C.R.M. (A) No. 339 of 2022 is, thus, disposed of.

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

**(Ananda Kumar Mukherjee, J.) (Rajasekhar Mantha, J.)**

