

31.08.2026
Sl. No.30
Ct. 446/tkm

C. R. M. (A) 2299 of 2026

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Rajarhat Police Station Case No.63 of 2026 dated 14.03.2026 under sections 137(2)/140(3)/61(2) BNS 2023

And

In Re: **Vaishakhi Das Chowdhury**

... .. Petitioner

Allowed

Mr. D Kar
Mr. Arka Tilak Bhadra
Ms. S Parvin
Ms. Paramita Mukherjee

... .. for the petitioner

Mr. L Vishal Kumar
Mr. Sanjib Das

... .. for the State

1. Mr. Kar, learned Advocate for the petitioner submits that the petitioner has been falsely implicated in this case. He submits that the brother of the complainant had taken a loan from a financial institution using his own identity card. The petitioner is a respectable woman of the locality. She had given shelter to the brother of the complainant. Subsequently, the present case was instituted on the basis of a complaint lodged by the complainant, alleging that the petitioner, along with her associates, kidnapped his brother and his family member and extorted a certain amount of money. He submits that Sections 137(2) and 140(3) of the BNSS, along with other provisions of the BNSS, have been invoked. He submits that Section 137(2) is bailable, whereas Section 140(3) of the BNSS is non-bailable. However, the case is triable by a Magistrate. He, therefore, prays for anticipatory bail for the petitioner.

2. Mr. Kumar, learned Advocate for the State produces the case diary, memo of evidence and opposes the prayer for anticipatory bail.
3. Heard the learned Advocates appearing for the respective parties and perused the materials in the case diary, including the statements of the witnesses recorded under Section 180 of the BNSS and also the statement of the victim recorded under Section 183 of the BNSS. The co-accused is on bail. Considering this aspect and the fact that the petitioner is having roots in the society, and the prosecution has already collected materials in support of the prosecution case, and there is little chance of tampering with the evidence, I am of the view that custodial interrogation of the petitioner is not necessary and that the privilege under Section 482 of the BNSS can be extended in favour of the petitioner.
4. Accordingly, I direct that, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the learned CJM Barasat, North 24 Pgs and also subject to the conditions as laid down under Section 482(2) of the BNSS, 2023. Petitioner shall co-operate with investigation in accordance with law.
5. The application being CRM (A) 2299 of 2026 is disposed of.

(Partha Sarathi Chatterjee, J.)