

30.09.2024

Court No.29

Item No. 15

Allowed

ar

CRM (A) 3402 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 438 of the Code of Criminal Procedure in connection with Serampore Police Station Case No. 580 of 2023 dated 08.12.2023 corresponding to G.R Case No. 3102 of 2023 under Sections 498A/376D/376(2)(n) of the Indian Penal Code.

And

In Re: Father-in-law of the victim & Ors.

Petitioners

Mr. Abhinav Rakshit

For the Petitioners
(appointed by Legal Aid)

Mr. Arnab Chatterjee

Mr. Abhishek Verma

For the State

1. The petitioners are the father-in-law, mother-in-law, elder brother-in-law, sister-in-law and younger brother-in-law of the victim. It is submitted that they are innocent and they have been falsely implicated.
2. Learned counsel for the State and the de-facto complainant have opposed the prayer for anticipatory bail. However, it is submitted that the husband of the victim had been enlarged on bail by a coordinate bench.
3. Considering the materials available in the case diary, the nature and extent of involvement of the present petitioners in the commission of the alleged offence and having regard to the statement of the victim recorded under Section 164 Cr.P.C in which the allegations against the present petitioners are omnibus in nature and no specific role has been ascribed to each of the petitioners and main allegation appears to be directed against the husband, who has been recently enlarged on bail and moreover the charge-sheet has

already been filed, we are of the view that that custodial interrogation of the petitioners is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Ram Sanehi @ Ram Sanei, Smt. Maha Debi, Ranbir Singh @ Ranveer Singh, Smt. Mamata Debi and Ajay Kumar** shall be released on bail upon furnishing a bond of Rs.2,000/- each, with one registered surety each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973, corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioners shall appear before the **learned Additional Chief Judicial Magistrate, Serampore,** corresponding to **G.R Case No. 3102 of 2023** within **ten days** from date and the petitioners shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further ordered that the petitioners shall appear on every date before the aforesaid Court on and from the date fixed for appearance of the accused. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioners is allowed and the same is accordingly disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar, J)

