

24.09.2024
SL No.31
Court No.29
(gc)
(Allowed)

CRM (A) 3442 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Nabadwip Police Station Case No.510 of 2024 dated 29.07.2024 under Sections 80/85/103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Section 3/4 of the Dowry Prohibition Act, 1961.

And

In the matter of : **Susmita Bibi & Anr.**

- Petitioners.

Md. Sabir Ahmed,
Mr. Dhiman Banerjee

....For the Petitioners.

Mr. Prasun Kumar Dutta,
Miss. Sreetama Das

... For the State.

1. The petitioner no.1 is the sister-in-law and the petitioner no.2 is the brother-in-law of the deceased.
2. The learned Counsel for the petitioners submits that the petitioners are innocent and they reside at different house. On the date of incident, they were in their own house.
3. The learned Counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the witnesses and the medical report.
4. Considering the materials available in the case diary, the nature and extent of complicity of the petitioners in the commission of the alleged offence and no specific role has been ascribed to the present petitioners in relation to the offence and also having regard to the fact that the death appears to be suicidal in nature and also having regard to the fact that the husband and the mother-in-law against whom main allegations have been made are

presently in the custody, we are of the view that custodial interrogation of the petitioners is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioners namely, **Susmita Bibi** and **Milon Sheikh**, shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two registered sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the BNSS, 2023 and on further condition that the petitioner no.2 shall meet the I.O. once in a fortnight and the petitioner no.1 shall cooperate with the investigation till the submission of the final report.
6. It is further directed that the petitioners shall appear before the learned Additional Chief Judicial Magistrate, Nabadwip, Nadia in connection with SL No.478 of 2024 within two weeks from date.
7. Accordingly, the application for anticipatory bail is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)