

04.10.2024
Court No.29
Item No. 21
**Partly
Allowed**

ar

CRM (A) 3558 of 2024

In Re:- An application for anticipatory bail under 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ashokenagar Police Station Case No. 399 of 2024 dated 07.07.2024 corresponding to G.R Case No. 1843 of 2024 under Section 108 of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: **Tapasi Sarkar & Anr.**

Petitioners

Md. Yunush Mondal
Mr. Pronojit Roy For the Petitioners

Mr. Anand Kesari
Ms. Ankita Paul For the State

1. The petitioner no. 1 is the mother-in-law and the petitioner no. 2 is the wife of the deceased. It is submitted that the father-in-law has been arrested and subsequently granted regular bail.
2. 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 it appears from the statement of the brother of the victim, which directly implicates the present petitioner no. 1 and the father-in-law of the victim, we are not inclined to grant anticipatory bail to **the petitioner no. 1**. However, considering the role ascribed to the petitioner no. 2, we are inclined to grant anticipatory bail to the **petitioner no. 2**.
3. Accordingly, we direct that in the event of arrest, namely, the **petitioner no. 2, Rimpa Sarkar Mondal** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom

must be local, 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. The **petitioner no. 2** shall meet once in a fortnight till the submission of the final report and on further condition that the **petitioner no. 2** shall appear before the **learned Jurisdictional Court, North 24 Parganas**, within **Ten days** from date in connection with **G.R Case No. 1843 of 2024**. 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.

4. Accordingly, the prayer for anticipatory bail of the **petitioner no. 2** is allowed, however, the prayer for anticipatory bail of the **petitioner no. 1** stands rejected and the application is accordingly disposed of.
5. 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)