

17.01.2025
Sl. No.28
akd
[PARTLY
ALLOWED]

C. R. M. (A) 195 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 10.01.2025 in connection with Kotwali Police Station Case No. 1089 of 2024 dated 03.10.2024 under Sections 85/124(1)/103/61(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In Re: ***Sandhyarani Ghosh & Ors.***

... .. Petitioners

Mr. Sumanta Das
Ms. Suman Biswas

... .. for the petitioners

Mr. Atis Kumar Biswas

... .. for the de-facto complainant

Mr. Sanjay Bardhan
Mr. Dipankar Mahata

... .. for the State

1. It is submitted on behalf of the petitioners that they are the in-laws of the victim-housewife. Victim committed suicide. Petitioners have been falsely implicated. Accordingly, they pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail. He submits petitioners tortured the lady which compelled her to consume acid.
3. Learned Advocate for the de-facto complainant also opposes the prayer for anticipatory bail. He submits husband of the deceased and fourth petitioner i.e. Ujjala Ghosh had an illicit relationship. As a result, victim-housewife committed suicide.
4. We have considered the materials on record. Statement of the mother of the deceased shows deceased made a dying declaration implicating the in-laws in abetting suicide. However, learned Advocate for the de-facto complainant states the issue centers around the illicit

relationship between the husband of the deceased and fourth petitioner i.e. Ujjala Ghosh. In such view of the matter, we are not inclined to grant anticipatory bail to petitioner no.4.

5. Accordingly, the prayer for anticipatory bail of petitioner no.4 namely, **(4) Ujjala Ghosh** is rejected.

6. However, keeping in mind the general and omnibus nature of allegations against the other petitioners, we are of the opinion custodial interrogation of petitioner nos.1, 2 and 3 is not necessary and they may be granted anticipatory bail.

7. Accordingly, we direct in the event of arrest, the petitioner nos.1, 2 and 3 namely **(1) Sandhyarani Ghosh, (2) Nirmal Ghosh & (3) Barnali Ghosh**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten thousand only) each, with two 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 Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner nos.1, 2 and 3 shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

8. The application for anticipatory bail is, thus, disposed of.

(Uday Kumar, J.)

(Joymalya Bagchi, J.)