

D/L63

06.02.2025

Rohit

ct.no.28

C.R.M. (A) 324 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jiaganj Police Station Case No. 432/2024 dated 07.11.2024 under Sections 85/103(1) / 3(5) of the Bharatiya Nyaya Sanhita, 2023

And

In Re: **1. Reshma Bibi @ Resma Khatun Bibi**
2. Md Sabiyar Hossain @ Biddyat Sk.
3. Abeda Bibi @ Abeda Bewa

...Petitioners

Mr. Tapodip Gupta

...for the petitioners

Mr. Saibal Bapuli, Ld. APP
 Ms. Nandini Chatterjee

...for the State

1. Heard learned Advocates for the parties.
2. Petitioner contends that death of the victim wife was due to suicide and not murder. Principal accused i.e husband of the victim is on interim bail. Petitioners are the in-laws of the victim lady. They pray for pre-arrest bail.
3. Learned A.P.P opposes the prayer.
4. We have considered the materials on record. Post mortem report reveals non-continuous ligature mark around the neck which is indicative of suicidal hanging. This rules out a case of homicide. Allegations of cruelty against the petitioners i.e., the in-laws are general and omnibus. Incident occurred seventeen years after

marriage. Statutory presumptions under Sections 117/118 of BSA are not attracted.

5. Accordingly, petitioners may be granted anticipatory bail.
6. Accordingly, we direct that in the event of arrest, the petitioners viz., **1. Reshma Bibi @ Resma Khatun Bibi 2. Md Sabiyar Hossain @ Biddyat Sk. 3. Abeda Bibi @ Abeda Bewa** be released on bail upon furnishing a bond of Rs.10,000/- 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. Petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.
7. The application for anticipatory bail is, thus, disposed of.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)