20.03.2025
Item No.28
Ct. No. 26
CHC
Allowed

C.R.M.(A) 948 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Nakashipara** Police Station Case No. **660** of **2024** dated **22.07.2024** under Sections **80/85/108/316(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023, and subsequently charge sheet under Sections 80/85/108/316(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023, pending before Learned Chief Judicial Magistrate, Nadia at Krishnagar.

And

In the matter of: Hidat Mallick & Ors.

..... petitioners

Mr. Amanul Islam, Advocate
Mr. Sourav Mukherjee, Advocate
....for the petitioners

Mrs. Z. N. Khan, Advocate
Ms. Ayana Dey, Advocate
....for the State

Mr. Sumanta Das, Advocate
Ms. Suman Biswas, Advocate
Mr. Avilash Tripathi, Advocate
....for the de facto complainant

1. Petitioners before us are the in-laws of the victim.
2. State and the de facto complainant are represented.
3. Husband was enlarged on bail by an order dated February 21, 2025 passed in CRM(DB) 4335 of 2024.
4. Police filed charge sheet.
5. Considering the fact that police charge sheet and considering the fact that, issue as to whether or not the petitioners before are acted in the commission of the suicide may be decided at the trial, we grant anticipatory bail to the petitioners.

6. Accordingly, we direct that in the event of arrest the petitioners will be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, and on further condition that the petitioners shall appear on every date before the jurisdictional court on and from the date fixed for appearance of the accused and in default the jurisdictional court will pass appropriate order to secure the presence of the petitioners in court including cancelling the anticipatory bail granted without further reference to this Court.
7. This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Smita Das De, J.)