

02.04.2025
Court No.28
Item No.28
tbsr
Allowed

CRM (A) 1066 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Old Section 438 of Cr.P.C.) in connection with **Kaliachawk** P.S. Case No.**438 of 2023** dated **10.04.2023** under Sections **379/414/109/34 IPC** corresponding to GR Case No. 2202 of 2023.

And

In the matter of: **Maniska Nadab & Anr.**

....Petitioners.

Mr. Ronit Dutta

Ms. Sanjukta Samanta

...for the petitioners.

Mr. S. S. Imam

Ms. Sana Naaz

...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the daughter and the son in law of the de facto complainant. An FIR was lodged on 10.04.2023 alleging that the petitioners had stolen away cash sum of Rs. 4 lakh 50 thousand, gold jewelry and diamond ring from the de facto complainant. In fact, the de facto complainant suspected that her daughter would marry the petitioner no. 2 against the de facto complainant's will. It is pertinent to mention that they married on 11.04.2023.

Learned counsel appearing on behalf of the State opposes the prayer and relies on the case diary. He submits that a prima facie case was made out. Charge sheet has been submitted and a warrant of arrest has been issued.

In view of the nature of allegations that the father of the petitioner no. 1 had leveled against the petitioners, it does not appear that custodial interrogation of the petitioners is required.

Accordingly, I direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, 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, 2023 and on further conditions that the petitioners shall appear on every date before the jurisdictional Court when the matter is fixed for hearing and shall not threaten witnesses, in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)