

25.04.2025
Court No.28
Item No.15
tbsr
Allowed

CRM (A) 1124 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Berhampore** P.S. Case No.**1805 of 2024** dated **11th November, 2024** under Sections **85/80(2)/3(5)** of the Bharatiya Nyaya Sanhita 2023 and under Section 3/4 of the Dowry Prohibition Act.

And

In the matter of: **Tajmira Bibi & Ors.**

....Petitioners.

Mr. Arnab Chatterjee
...for the petitioners.

Mr. Saibal Bapuli
Mr. Mainak Gupta
.....for the State.

Mr. Ali Ahson Alamgir
Ms. Rabia Khatun
Ms. Soma Mal
Mr. J. Modak
...for the de facto complainant.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the mother-in-law, the cousin brother-in-law and a neighbor of the victim lady. The marriage took place about two and half years ago. The husband who is the main culprit is in custody.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail and submits that it is the mother who was the main instigator.

Learned counsel appearing on behalf of the State relies on the case diary and the two statements of neighbours recorded before a Magistrate pursuant to a direction passed by this Court. One of the

statements of the independent neighbor shows that the husband had taken the other in-laws and gone somewhere. After that, when the husband was not getting the victim over phone she called up the neighbor. The neighbour went and checked that the victim had committed suicide. Charge sheet has been submitted.

In view of the statements of the neighbours recorded before the Magistrate and considering the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present petitioners.

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 condition that the petitioners shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)