

22.04.2025
Sl. No.13
Ct. 28
NB

C.R.M. (A) 1154 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jalangi PS Case No.82 of 2025 dated 13.02.2025 under Sections 85/103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3/4 of the Dowry Prohibition Act pending before the learned Chief Judicial Magistrate at Berhampore, Murshidabad.

And

In the matter of : Loton Sharma @ Ajay Sharma & Ors.
... petitioners

Mr. Arnab Chatterjee,
Ms. Poulami Bose.
...for the petitioners.

Mr. Kaushik Kundu,
Mr. Arup Sarkar.
...for the State.

Mr. Ali Ahasan Alamgir,
Ms. Soma Mal,
Ms. Rabia Khatoon,
Ms. June Modak.
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioners submits that the marriage between the couple took place about 13 years ago. The petitioners are the other relatives of the victim deceased.

Learned counsel appearing on behalf of the de facto complainant submits that immediately before the incident, the victim had called up the parents to tell about torture inflicted by all.

Learned counsel appearing on behalf of the State relies on a post-mortem report, the statement of the minor child of the victim recorded before the Magistrate and other statements recorded during investigation.

In view of the exonerative statement made by the minor child of the victim before the learned Magistrate, the statements of a local witness contained at page 20 of the case diary and the roles ascribed to the present petitioners, I do not think custodial interrogation of the present petitioners would be required in this case.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner nos.1, 2 and 3 shall meet the Investigating Officer once a fortnight till submission of report in final form, the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The personal appearance of the Investigating Officer is noted and is dispensed with.

The application for anticipatory bail being **CRM(A) 1154 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)