

AD 35
April 9, 2025
Ct. 28
SG

Partly Allowed

CRM(A) 1170 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gangnapur P.S. Case No.79 of 2025 dated 06.03.2025 under Sections 85/103/3(5) of the BNS, 2023.

And

In the matter of: *Jasim Das and others*

... *petitioners*

Mr. Sumanta Das
Mr. Avilash Tripathi

... for the petitioners.

Mr. Sanjoy Bardhan
Ms. Snigdha Saha

... for the State

Learned counsel appearing for the petitioners submits as follows. The marriage between the couple in question took place nine years ago. The petitioners are not the prime accused in this case. The petitioners live separately at a place in Orissa.

Learned counsel for the State relies on the case diary, opposes the prayer for anticipatory bail and submits that the statements of the two minor children recorded before the learned Magistrate clearly indicate that their father and another uncle had committed the murder and the children were eye-witnesses to the same. According to the statements of some other related witnesses, this incident happened at the instigation of the present petitioner Nos.1 and 3.

Considering the materials available in the case diary and the role ascribed to each of the accused, I am not inclined to grant anticipatory bail to the petitioner Nos.1 and 3.

Accordingly, the prayer for anticipatory bail of the petitioner Nos.1 and 3 is rejected.

In the event of arrest, the petitioner Nos.2 and 4 shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioner Nos.2 shall meet the investigating officer of the case once a week till submission of report in final form and that the petitioner Nos.2 and 4 shall not threaten or intimidate the witnesses.

The application for anticipatory bail is, accordingly, disposed of.

(Jay Sengupta, J.)