

AD 30  
April 16, 2025  
Ct. 28  
SG

Partly Allowed

CRM(A) 1201 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Raghunathganj P.S. Case No.1066 of 2024 dated 30.08.2024 under Sections 85/124(1)/109 of the BNS.

And

In the matter of: *Niyamat Biswas @ Niamat Sk and others*  
... petitioners

Ms. Benajir Hasna  
Mr. Aliul Islam  
Mr. Sadid Haider

... for the petitioners.

Ms. Manisha Sharma  
Mr. Soumya Basu Roy Chowdhuri

... for the State

Mr. Sandip Chakraborty  
Mr. Moyukh Mukherjee  
Mr. Kaustav Das  
Ms. Sarmistha Basak

... for the de facto complainant

Learned counsel appearing for the petitioners submits as follows. The petitioners are the father-in-law, the mother-in-law and the sister-in-law of the victim. The incident happened after four years of marriage. Two minor children are there. A charge-sheet has been submitted. The husband was granted bail after some days in custody. The falsity in the statement of the victim recorded before the Magistrate would be apparent from the fact that medical records of the Government hospital show that it was the sister-in-law who brought her to the hospital and identified her. But, in the

said statement before the Magistrate, she stated that the victim was rescued by the locals who informed the parents. They took her to the hospital.

Learned counsel for the State strongly opposes the prayer for anticipatory bail, relies on the case diary and submits that the medical records show that there was a clear case of acid poisoning. The victim had to be admitted in the hospital and was treated there from 27.08.2024 to 14.09.2024. The victim again had to be admitted in hospital in the month of November, 2024.

Learned counsel for the de facto complainant submits that there are statements of neighbours and other witnesses which clearly make out a strong prima facie case against the petitioners.

In view of the medical records showing that the sister-in-law had taken the victim to the hospital, I am inclined to grant anticipatory bail to the petitioner No.3.

However, considering the roles ascribed to the petitioners and the materials available in the case diary, I am not inclined to grant anticipatory bail in favour of the petitioner Nos.1 and 2.

In the event of arrest, the petitioner No.3 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 condition that the petitioner shall not threaten or intimidate the witnesses.

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

**(Jay Sengupta, J.)**