

01.05.2025
SL.27
Ct.No.28
NB

CRM (A) 1396 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 Amdanga P.S. Case No.166/2025 dated 08.03.2025 under Sections 85/80(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3/4 of the Dowry Prohibition Act (corresponding to GR 508 of 2025) pending before the learned Additional Chief Judicial Magistrate, Barasat, North 24-Parganas.

And

In the matter of : Radharani Roy Chowdhury & Ors. ... petitioners

Mr. Abir Ranjan Neogi,
Mr. Karan Bapui.
...for the petitioners.

Mr. Saibal Bapuli Id.APP.,
Mr. Snigdha Saha.
...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the widowed mother-in-law, the sister-in-law and the husband of the sister-in-law. The petitioner nos.2 and 3 stayed separately. The marriage between the couple took place four years ago. Although the incident took place on 26th February, 2025, the FIR was lodged on 08.03.2025, three days after the date of death. The husband is in custody.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail and relies on the materials available in the case diary including a statement of the victim as “dying declaration” recorded in presence of the doctor. In view of the exonerative statement given by the victim before the treating doctor, I

do not think that custodial interrogation of the petitioners are 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 not to threaten or intimidate witnesses and to cooperate with the investigation.

The application for anticipatory bail being **CRM(A) 1396 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.)