

10.07.2025
Court No.28
Item No.22
ssi

CRM (A) 1451 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Tapan PS Case No.**219 of 2025** dated **05.04.2025** under Sections **85/3 (5)** of the BNS, 2023.

And

In the matter of: **Samsuddin Sarkar & others.**

....Applicants/Petitioners.

Mr. Srinjoy Das
Mr. Aritra Ghosh

...for the petitioners

Ms. Shaila Afrin
Mr. Aritra Bhattacharya

..for the State

Supplementary affidavit filed by the petitioners is taken on record.

Even today, no one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioners submits that the de facto complainant had, in the meantime, served a copy of an affidavit on them, but the same has not been filed in Court. It contains certain manufactured document. That is possibly the reason why the de facto complainant is not appearing. This is a case where an allegation has been made that the husband took a dowry of Rs. 30 lakhs, out of which Rs. 15 lakhs was paid to him by "Phone Pay".

Learned counsel appearing on behalf of the petitioners further submits that the present petitioners are the in-laws of the de facto complainant. The husband is not before this Court. They stay separately from the couple. They have been needlessly dragged into this criminal case.

However, learned counsel appearing on behalf of the State submits that there are documents relating to payment of a sum of Rs.3 lakhs and odd by the father in law to the husband.

Considering the materials available in the case diary and the alleged roles ascribed to the present petitioners, I am inclined to grant anticipatory bail to the 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 conditions that the petitioners shall not threaten or intimidate witnesses and shall co-operate with investigation.

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

(Jay Sengupta, J.)