

15.05.2025
Court No.28
Item No.14
tbsr
Allowed

CRM (A) 1484 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Bagdah** P.S. Case No.**172 of 2025** dated **28.02.2025** under Sections **103/85/3(5)** of the Bharatiya Nyaya Sanhita.

And

In the matter of: **Ahalya Gain & Ors.**

....Petitioners.

Mr. Malay Bhattacharyya

Mr. Subhrajyoti Ghosh

...for the petitioners.

Mr. P.K. Dutta, Id. APP

Ms. P. Goswami

.....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioners are the mother-in-law, the brother-in-law and wife of the brother-in-law of the victim deceased. The marriage between the couple took place about eight years ago. The husband has not been made an accused in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the post mortem report and the statements of the witnesses. As per statement of neighbours, the husband was staying outside. The petitioners used to mentally and physically torture the victim. They also suspected that she was having an affair with someone. After the suicide attempt was made the inmates of the matrimonial home took her to the hospital.

Considering the nature of allegations and the alleged roles ascribed to the present petitioners, I do not think that custodial interrogation of the petitioners is not required in this case.

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 condition that the petitioners shall not threaten or intimidate witnesses and the petitioners shall co-operate with investigation and the petitioner no. 2 shall meet the I.O. once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)