

AD 41
May 6, 2025
Ct. 28
SG

Allowed

CRM(A) 1488 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Berhampore P.S. Case No.488 of 2025 dated 10.03.2025 under Sections 103(1)/80(2)/85/3(5) of the BNS, 2023 read with under Sections 3 and 4 of D.P. Act.

And

In the matter of:

Rijia Khatun Bibi @ Rijia Khatun and another
... petitioners

Mr. Sabir Ahmed
Mr. Somnath Adhikary
... for the petitioners.

Ms. Shaila Afrin
Ms. Afrin Begum
... for the State

Learned counsel appearing for the petitioners submits that the petitioner No.1 is the second wife of the victim's husband and the petitioner No.2 is her mother. The mother stays at a different place. There are no specific allegations made against the present petitioners. The prime accused being the husband is in custody.

Learned counsel for the State opposes the prayer for anticipatory bail and refers to the materials available in the case diary, including the statements of neighbours. She submits that according to such statements, the present petitioners had also inflicted torture. They abused the victim for not being able to bring money.

Considering the nature of allegations and the fact that the principal accused being the husband of the victim is in

custody 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/- (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 petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)