

13.05.2025
Court No.28
Item No.54
tbsr
Allowed

CRM (A) 1534 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Daspur** P.S. Case No.**497 of 2024** dated **26.09.2024** under Sections **85/80(2)/108/316(2)/351(2)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Shantana Dhara & Anr.**

....Petitioners.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick
....for the petitioners.

Ms. Amita Gaur, Sr. Govt. Adv.
Mr. Prakash Mishra
.....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the mother-in-law and the husband of the alleged victim deceased. The incident took place about two and half years ago. The husband stayed elsewhere and off and on visited the wife.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the statements of witnesses, especially the ones recorded before the learned Magistrate. One statement refers to trouble between the victim and her mother-in-law. She also confided in the witness that she was beaten up by the mother-in-law some time ago. Another statement gives out that immediately after the incident the said mother-in-law tried to break open the door of the home with a spade when it was learnt that the victim had committed suicide in the said room.

Considering the nature of allegations, the alleged role ascribed to the each of the petitioners and the fact that charge sheet has already been submitted, 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 condition that the petitioners shall not threaten or intimidate witnesses and shall attend the trial Court on the adjourned dates.

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.)