

21.05.2025
Court No.28
Item No.43
ssi

CRM (A) 1675 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Bhowanipore PS Case No.73 of 2025 dated 09.04.2025 under Sections 85/316(2)/79/351(3)/3(5) of the BNS 2023.

And

In the matter of: **Monoj Kumar Das & others.**

....Applicants/Petitioners.

Mr. Ayan Bhattacharyya, Sr. Adv
Mr. Aniruddha Bhattacharyya
Ms. Anushka Bose

...for the petitioners

Ms. Sukanya Bhattacharya
Mr. Abhinaba Mukherjee

..for the State

Mr. Sabir Ahmed
Mr. Tasnim Ahmed
Mr. Q. E. Ahmed

...for the de facto complainant

Learned senior counsel representing the petitioners submits as follows. The petitioners are the parents in law and the sister in law of the alleged victim. The case was started pursuant to a direction given by the learned Magistrate. The husband is not an accused in this case. In fact, the husband has colluded with the wife to harass the parents and the sister in this case. The petitioners have complied with notices issued by the police and a proceeding is on for searching the bank lockers.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail and submits that the son and the daughter in law are being deprived of a huge amount of Stridhan and other articles by their parents and sister. Exchange of emails can be referred to in this regard.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the case diary. However, she submits that a process is on for searching the bank lockers in question.

In view of the nature of allegations, the materials available in the case diary and the fact that the petitioners are complying with notices issued by the Investigating Agency, I do not think that custodial interrogation of the petitioners is required in this case and 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.)