

05.08.2025
Court No.28
Item No.41
tbsr
Allowed

CRM (A) 1723 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with New **Barrackpore** P.S. Case No. **14 of 2025** dated **21.01.2025** under Sections **115(2)/351(2)/79/76/108/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Mamata Sarkar @ Momota Sarkar**

....Petitioner.

Mr. Moyukh Mukherjee

Mr. Abhijit Singh

Ms. Sarmistha Basak

...for the petitioner.

Mr. Rana Mukherjee

Mr. Santanu Talukdar

....for the State.

Heard the learned counsels for the parties.

Perused the case diary and the subsequent statements of three independent witnesses recorded under Section 183 of the BNSS.

There are certain contradictions between the versions given by the witnesses.

Be that as it may, it will be for the trial Court to decide whether there is an element of abetment of suicide in this case.

However, considering the materials available in the case diary including the statements of neighbours, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 petitioner shall not threaten or intimidate witnesses.

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.)