

09.07.2025
SL.31
Ct.No.28
NB

CRM (A) 1942 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Murshidabad P.S. Case No.86 of 2025 dated 30.01.2025 under Sections 85/117(2)/351(2)/351(3)/62/64/109/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 34 of Dowry Prohibition Act pending before the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad.

And

In the matter of : XXX & Anr. ...petitioners

Mr. G. N. Imrohi
...for the petitioners.

Ms. Sukanya Bhattacharya,
Ms. Ankita Paul.
...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the mother in law and the married sister in law of the victim/de facto complainant. The marriage between the couple in question took place 10 years ago. A notice of restitution of conjugal rights was given to the de facto complainant on 08.01.2025. The present FIR was lodged on 30.01.2025 as a counterblast. There is a delay of about 17 days in lodging the FIR, if one considers the last date of alleged occurrence.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She points to the statement of the victim recorded before a learned Magistrate.

Considering the materials available in the case diary and the alleged roles ascribed to the present petitioners, 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.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that they shall cooperate with the investigation and shall not threaten or intimidate witnesses, whatsoever.

The application for anticipatory bail being **CRM(A) 1942 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)