

01.07.2025
SL.50
Ct.No.28
NB

CRM (A) 1843 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 Bhimpur P.S. Case No.101 of 2025 dated 05.04.2025 under Sections 85/117(2)/123/316(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Jahiruddin Mondal @ Jahir & Ors.

...petitioners

Mr. S. Das,
Mr. Avilash Tripathi.
...for the petitioners.

Ms. Sukanya Bhattacharya,
Md. Ejaz Akhtar.
...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the husband, the parents in law and the married sister in law of the de facto complainant/wife. The marriage took place six years ago. There is a child of two years. The married sister in law stays elsewhere in her matrimonial home. In all these six years no complaint had been lodged earlier by the de facto complainant.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the case diary and submits as follows. All the petitioners used to torture the victim. The FIR is corroborated by the statements made by neighbours. There are injury reports to show that once a stomach wash had to be

performed as she was administered poison and on another occasion she had to be treated for a serious cut injury.

As the petitioner no.4 (Julikha Khatun Mondal @ Julikha Mondal) is the married sister in law staying elsewhere, her application for anticipatory bail is allowed.

However, considering the incriminating materials available in the case diary and the roles ascribed to the petitioner nos.1, 2 and 3, I am not inclined to grant anticipatory bail to them. Accordingly, the application for anticipatory bail of the petitioner no.1(Jahiruddin Mondal @ Jahir), petitioner no.2 (Julhaque Mondal) and the petitioner no.3 (Jahanara Mondal) is hereby rejected.

Accordingly, in the event of arrest, the petitioner no.4 (Julikha Khatun Mondal @ Julikha Mondal) 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 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 she shall cooperate with the investigation and shall not threaten or intimidate witnesses, whatsoever.

The application for anticipatory bail being **CRM (A) 1843 of 2025** is, thus, partly 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.)