

09/07/2025

D/L 49

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 1997 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Madhyamgram Police Station case no. 228/2025 dated 31.3.2025 under sections 115(2)/329(4)/123/117(2)/316(2) of the BNS.

In the matter of: Nipa Roy Sarkar

... Petitioner

Mr. Arka Chakraborty

Mr. Dattatreya Datta

...for the petitioner.

Ms. Baishali Basu

Mr. Santanu Deb Roy

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of an old age Home where the de-facto complainant was staying. All medicines were administered as per prescription that the de-facto complainant came with and as per the doctor who had checked her while she was residing at the home.
2. Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits as follows. There are statements of witnesses including a former employee of the Home as well as the victim and her son and daughter-in-law that the petitioner had forced the victim to work there and was administering medicine that could have caused her immense harm.
3. It does not appear that there is any medical document to show that the harmful medicine was being administered

to the victim. It is also quite surprising that although the son and the daughter-in-law of the alleged victim had given statements against the present petitioner, it does not appear that they had taken back mother/mother-in-law with them.

4. Considering the materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.
5. In the event of arrest, the petitioner 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 further conditions that the petitioner shall cooperate with the investigation and the petitioner shall not threaten or intimidate witnesses.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)