

17.07.2025
Sl. no. 37
Ct. No. 25
P.M.

C.R.M. (A) 2123 OF 2025

In re : An application for anticipatory bail under Section 482 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Hogalberia Police Station Case No. 177 of 2025 dated 06.06.2025 under Sections 108/3(5) of the B.N.S. 2023.

In the matter of : Nirendra Nath Chakraborty @ Niren & Ors.
... petitioner

Mr. Arindam Jana,
Mr. Ashraf Mondal,
Mr. Yuvraj Chatterjee

.....for the Petitioners.

Ms. Sukanya Bhattacharya,
Ms. Sonali Bhar

.....for the State.

Mr. Prabir Majumder

... for the defacto complainant

Learned counsel for the petitioners states that Ujjal Chakraborty, husband of the petitioner No. 2 Mampi Chakraborty committed suicide by poison on 4th June, 2025.

Learned counsel submits that immediately thereafter the in-laws of petitioner No. 2 started taunting her and harassing her on account of which petitioner No. 2 lodged First Information Report No. 176 of 2025 under Sections 85/3(5) of the BNS, 2023.

Learned counsel submits that as a counter blast to this, the brother of the deceased that is the defacto complainant lodged a complaint with the police alleging therein that his brother Ujjal

Chakraborty committed suicide as he came to know that his wife/petitioner No. 2 was having an extra marital relation. On this complaint the present FIR was lodged.

Learned counsel for the State has opposed the bail application on the ground that the daughter of deceased and petitioner No. 2 have made statement under Section 183 BNSS to the effect that her father committed suicide as her mother i.e. petitioner No. 2 was having an extra marital relation with another person out of the marriage.

Admittedly there is no suicide note left by the deceased. The complaint was lodged after two days of the suicide. On the same day prior to the present case the petitioner No. 2 had lodged a complaint against her in-laws. The statement of the daughter was recorded on 13th June, 2025 that is after around nine days after incident.

The “abatement” is a matter of trial. The court considers that in the facts and circumstances of this case, let petitioners join the investigation as and when directed by the Investigating Officer.

In the event, if Investigating Officer feels necessary of effecting the arrest of the petitioners they be admitted to anticipatory bail by furnishing

personal bond of Rs. 10,000/- (Rupees ten thousand only) with two sureties of like amount each, one of whom shall be local, to the satisfaction of the Investigating Officer, subject to the conditions that they shall join the investigation as and when directed by the Investigating Officer and shall not threaten, intimidate or tamper with the prosecution and shall fully cooperate in the investigation.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Dinesh Kumar Sharma, J.)