

23.07.2025
Ct.No.25
Sl. No.33
Mujahid

CRM (A) 2145 of 2025

In Re: An application for anticipatory bail under Section 482 of the B.N.S.S. filed on **20.06.2025** in connection with **Berhampore** P.S. Case No.**488/2025** dated **10.03.2025** under Sections **103(1)/80(2)/85/3(5)** of BNS, 2023.

And

In the matter of: **Tanjila Bibi**

... Petitioner.

Mr. Somnath Adhikary

...for the petitioner

Mr. Saibal Bapuli, Ld. APP,
Mr. Md. Kutubuddin

...for the State

1. Learned counsel for the petitioner submits that initially FIR was lodged under Sections 103(1)/80(2)/85/3(5) of BNS, 2023 read with Section 3 and 4 of Dowry Prohibition Act, 1961. Learned counsel submits that, however, after investigation the charge-sheet has been filed only under Sections 85/80(2)/108/3(5) of BNS and Section 3 and 4 of Dowry Prohibition Act. Learned counsel submits that alleged principal offender husband is in custody. Learned counsel submits that the petitioner is the mother-in-law, against whom there are no specific allegations. It has also been submitted that other co-accused have been admitted to pre-arrest bail by the coordinate Bench of this Court in CRM(A) 1488 of 2025 vide order dated 6th May, 2025.

2. Learned counsel for the State has opposed the bail application. Learned counsel submits that the deceased committed suicide within less than two years of marriage. Learned

counsel submits that the petitioner is the mother-in-law who is also principal offender.

3. Learned counsel for the State has filed on record filed memo of evidence let it be taken on record. Perusal of the memo of evidence does not indicate that there is specific allegation against the present petitioner. In the charge-sheet it has been stated that after marriage of the victim she was subjected to torture physically or mentally by her husband and in-laws. The husband is already in custody.

4. Taking into account, in the event of arrest, the petitioner shall be released on bail upon furnishing a personal 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 the conditions as laid down under Section 438(2) of the Cr.P.C., 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioner shall cooperate with investigation and shall not threaten or intimidate witnesses.

5. The application for anticipatory bail is, thus, allowed.

6. All parties shall act on the basis of the server copy of this order.

(Dinesh Kumar Sharma, J.)