

AD 61
July 23, 2025
Ct. 28
SG

Allowed

CRM(A) 2268 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chanchal P.S. Case No.225 of 2025 dated 01.03.2025 under Sections 85/80/103(1)/3(5) of the BNS, 2023.

And

In the matter of:

Mariyam @ Tanzema @ Tanjema and another
... petitioners

Ms. Sujata Das

... for the petitioners

Ms. Manisha Sharma
Ms. Manasi Roy

... for the State

Leave is granted to correct the cause-title.

Heard learned counsels for the parties.

Perused the case diary.

Learned counsel for the petitioners submits that although there are statements of two relatives of the victim that when they went to the hospital the victim told them about how the petitioners and others had poured poison into her mouth, it appears that the victim was not admitted in the hospital and was declared dead soon thereafter.

Learned counsel for the State opposes the prayer for anticipatory bail.

It is submitted on behalf of the parties that the prime accused being the husband and the parents-in-law are in custody.

Considering the materials available in the case diary, the alleged roles ascribed to the present petitioners, the fact that the principal accused are in custody and a charge-sheet has been submitted, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to allow the application for anticipatory bail.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioners shall attend the jurisdictional court on the dates fixed and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)