

AD 56
July 23, 2025
Ct. 28
SG

Allowed

CRM(A) 2246 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nalhati P.S. Case No.198 of 2025 dated 30.04.2025 under Sections 316(2)/318(3)/340(2)/3(5) of the BNS, 2023.

And

In the matter of:

Sumi Khatun

... petitioner

Mr. Tarique Quasimuddin
Mr. Abu Selim
Ms. Sanchita Chaudhuri
Mr. Firdoush Ahmed

... for the petitioner

Mr. Joydeep Roy
Ms. Suruchi Saha

... for the State

Learned counsel for the petitioner submits that the petitioner is the wife of the principal accused. It has been alleged that the principal accused had taken money from the villagers by misusing a customer service point of the SBI. He allegedly issued undertakings and cheques. However, during pendency of this application, the principal accused being the husband of the petitioner, surrendered before the learned trial court. His bail has been rejected.

Copy of surrender slip, as filed before this Court, is taken on record. Copy of the same be handed over to learned counsel for the other side.

Learned counsel for the State opposes the prayer for anticipatory bail and points to the statements of witnesses, who

have taken the names of both the petitioner and her husband as the culprits. However, copies of cheques and undertakings only bear the signature of the husband of the petitioner.

Considering the materials available in the case diary, the fact that the principal accused has surrendered before the learned trial court during pendency of this application and the alleged role ascribed to the present petitioner, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to allow the application for anticipatory bail.

In the event of arrest, the petitioner 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 petitioner shall cooperate with the investigation 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.)