

01.08.2025
Court No.28
Item No.46
ssi

CRM (A) 2403 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Kharagpur (Town) PS Case No.**263 of 2025** dated **30.05.2025** under Sections **85/80(2)/3(5)** of the BNS, 2023.

And

In the matter of: **Sk. Sahmad Khan @ Sahmad Alam & others.**

....Applicants/Petitioners.

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha
Ms. Upasana Banerjee

...for the petitioners

Mr. Iqbal Kabir
Mr. Debanik Das

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The present petitioner nos. 1 and 2 are the brothers in law of the victim deceased and the petitioner no.3 is the wife of the petitioner no.2. The husband is in custody. The incident happened nine years after marriage. As would be evident from the FIR, the couple was staying together separately from the petitioners.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the post mortem report, the FIR and the statements of witnesses recorded.

Considering the materials available in the case diary, the fact that the principal accused husband is in custody and the alleged roles ascribed to the present petitioners, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, the application for anticipatory bail of the petitioners is allowed.

In the event of arrest, the petitioners 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 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 further conditions that the petitioners shall not threaten or intimidate witnesses and shall co-operate with investigation. The petitioner nos. 1 and 2 shall meet the I.O. once a fortnight till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)