

11.08.2025
Court No.28
Item No. 79
tbsr
Allowed

CRM (A) 2581 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 438 of the Code of Criminal Procedure in connection with **Banshihari** P.S. Case No.**121 of 2024** dated **28.04.2024** under Sections **498A/302/34** of the of the Indian Penal Code.

And

In the matter of: Utpal Roy & Anr.

....Petitioners.

Mr. Kaushik Choudhury
...for the petitioners

Ms. Amita Gaur
Md. Yaser A. Ismail
....for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The marriage between the victim/deceased and her husband took place about 12 years ago. The petitioners are only the neighbours of the alleged victim. Anticipatory bail was granted to other neighbours who were similarly circumstanced.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She submits that the petitioner no. 1 allegedly had a relation with victim.

Considering the materials available in the case diary, the alleged roles ascribed to the present petitioners and the fact that 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 grant anticipatory bail to the petitioners.

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 condition that the petitioners shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)