

AD 42
August 26, 2025
Ct. 28
SG

CRM(A) 2674 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Liluah P.S. Case No.600 of 2024 dated 03.11.2024 under Section 137(2) of the BNSS, 2023 adding Sections 85/103(2)/3(5) of the BNS, 2023.

And

In the matter of:

Sankar Dey and others

... petitioners

Mr. Soumya Basu Roy Chowdhuri

... for the petitioners

Ms. Faria Hossain

Mr. Tirthankar Dhali

... for the State

Learned counsel for the petitioners submits that the alleged incident took place about eleven years after marriage between the victim and the husband. The present petitioners are the father-in-law, the mother-in-law and the brother-in-law of the victim deceased.

Learned counsel for the State opposes the prayer for anticipatory bail. She relies on the post-mortem report and the final opinion of the doctor which stated that the death was caused due to effect of heart disease – a natural cause. She also relies on the statements of neighbours and the statement made by the minor daughter of the victim before the learned Magistrate.

It appears from the statement of the minor daughter that most of the allegations were made against the husband of the victim. The husband was reportedly arrested and thereafter granted bail.

Considering the materials available in the case diary and the fact that the principal accused was arrested and thereafter granted bail, the alleged role ascribed to the present petitioners and that a charge-sheet has been submitted, I do not find 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/- (rupees ten thousand) 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 the further conditions that the petitioners shall appear before the jurisdictional court and pray for bail within four weeks from this date, shall attend the jurisdictional court regularly 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.)