

08.08.2025
Item No.39
Ct. No. 446
RP
Allowed

C.R.M.(A) 2742 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Rejinagar** Police Station Case No. **159** of **2025** dated **01.06.2025** under Sections **109/118/85/86** of the Bharatiya Naya Sanhita pending before the Court of the Learned Chief Judicial Magistrate, Murshidabad.

And

In the matter of : Taru Bibi @ Tarija Bibi & Anr.

..... petitioners

Mr. Anit Dey, Advocate

....for the petitioners

Mr. S.S. Imam, Advocate

Mr. Nirupam Dhali, Advocate

....for the State

1. Heard the submission of both the learned advocates.
2. Perused the case diary.
3. On careful perusal of the material available in the case diary and FIR as well as the statement under Section 180 of BNSS made by various witnesses including the neighbours coupled with the injury report, this Court finds some incriminating material as against the present petitioner no.1, who is the mother-in-law and, therefore, this Court is not inclined to grant the prayer for anticipatory bail so far as the petitioner no.1 is concerned and her prayer is rejected. However, in absence of any specific overt act attributed by the petitioner no.2 or

incriminating material against her custodial interrogation of the petitioner no.2 is not necessary.

4. In view of the above, this Court is inclined to grant anticipatory bail to the petitioner no.2 subject to fulfillment of certain conditions other than compliance of the conditions laid down in Section 482(2) BNSS.
5. In the event of arrest, the petitioner no.2 shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the BNSS and on further condition that the petitioner no.2 shall not threaten the de facto complainant or try to tamper with the evidence and appear before the Court as and when necessary and in case of violation of any of such provisions the prosecution will be at liberty to pray for cancellation of anticipatory bail granted without further reference to this Court.
6. This application for anticipatory bail is, thus, disposed of as partly allowed.

(Chaitali Chatterjee (Das), J.)

