

12.09.2025
Sl. No.51
Ct. 28
NB

C.R.M. (A) 2942 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 Hanskhali PS Case No.436/2025 dated 26.06.2025 under Sections 126(2)/117(2)/118(2)/110/308(2)/316(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Tanusree Biswas & Ors.

... petitioners

Mr. Sudipto Panda,
Mr. Subrata Ghosh.

...for the petitioners.

Mr. Soumik Ganguli,
Ms. Chandreyi Dutta.

...for the State.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are the wife and the brothers in law of the alleged victim. The marriage between the couple took place 16 years back. It is alleged that the petitioners had driven out the victim from his own house and assaulted him. Actually, the de facto complainant had to be moved out from the house of his wife. In fact, the instant case is a counter blast against several others criminal proceedings initiated by the wife against the husband, inter alia, under Section 498A of the Penal Code.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the injury report and the statements of witnesses including the statement of the son of the alleged victim.

Considering the nature of allegations, the materials available in the case diary, the fact that there are allegations and counter allegations and the fact that charge sheet has been submitted, I do not think that custodial interrogation of the petitioners are required in this case and I am inclined to grant anticipatory bail to the present petitioners.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail being **C.R.M. (A) 2942 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)