

06.11.2025
Sl. No.12
Ct. 28
NB

CRM (A) 3052 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 Debra PS Case No.405/2025 dated June 19, 2025 under Sections 85/103(1)/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 34 of the Dowry Prohibition Act.

And

In the matter of:- Laylatun Bibi & Ors.petitioners

Mr. Nabanil De,
Mr. Shoumilya Majumder.
....for the petitioners.

Ms. Zareen N. Khan,
Md. Kutubuddin.
...for the State.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the mother in law, the brother in law, the sister in law, the uncle in law and the maternal aunt in law of the victim deceased. The marriage between the couple in question took place in 2020. But, the victim deceased committed suicide by consuming poison in the year, 2023. It was only after the husband got remarried in 2025, after about a delay of about 1 year and 8 months, that the present FIR was lodged. The husband and his family members are looking after the child from the first marriage.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. She relies on the statements of witnesses and the other materials available.

Considering the nature of allegations, the materials available in the case diary and considering the delay of about 1 year and 8 months in lodging the FIR that too by filing an application before the Magistrate, 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 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 cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner nos. 2 and 4 shall meet the Investigating Officer once a fortnight till submission of report in final form.

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

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.)