

19.09.2025
Court No.28
Item No.61
tbsr
Allowed

CRM (A) 3070 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Habra** P.S. Case No.**227 of 2025** dated **04.06.2025** under Sections **108/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Ganesh Dutta & Anr.

....Petitioners.

Mr. Pradip Kr. Kundu
Mr. Mohan Ghosh
...for the petitioners.

Mr. Iqbal Kabir
Mr. Abhinaba Mukherjee
.....for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the husband of the sister-in-law and the sister-in-law of the alleged victim deceased. Another co-accused was arrested and is on bail. The petitioners are not responsible for the suicide committed by the alleged victim.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the case diary and refers to the suicide note of the victim and other statements including the statements of the victim's daughter-in-law recorded before a learned Magistrate. The daughter-in-law of the victim refers to another sister-in-law of the victim and the mother-in-law although the suicide note refers to the present petitioners. The prime allegations appear to be against some other co-accused.

Considering the above and in view of the other materials available in the case diary and the alleged roles ascribed to the present petitioners, 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 petitioner.

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 cooperate with investigation, the petitioner no. 1 shall meet the I.O. once a fortnight till submission of report in final form and 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.)