

26.09.2025
Court No.28
Item No.24
tbsr
Allowed

CRM (A) 3115 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Tehatta** P.S. Case No.**348 of 2025** dated **11.05.2025** under Sections **109/115(2)/117(2)/126(2)/74/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Mampi Ghosh & Ors.

....Petitioners.

Mr. Asraf Mondal
...for the petitioners.

Mr. Bitasok Banerjee
Mr. Debanik Das
.....for the State.

Mr. Atis Kumar Biswas
Mrs. Jyoti Agarwal
....for the de facto complainant.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no. 1 had earlier lodged an FIR against her husband and in-laws *inter alia* under Sections 85, 115(2), 117(2), 316(2) and 109(5) of the BNS. As a counter blast, the father-in-law started the instant FIR.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail and submits that there is a serious injury inflicted on the scalp of the victim.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of victim and other witnesses and the injury report which, however, does not show inflicting of any grievous injury.

Considering the materials available in the case diary and the fact that the instant case is preceded by another case started by the daughter-in-law of the present de facto complainant, 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 petitioners.

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, shall not threaten or intimidate witnesses and the petitioner nos. 2 and 4 shall meet the I.O. once a fortnight till submission of report in final form.

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.)