

27.10.2025
SL.55
Ct.No.28
NB

CRM (A) 3209 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 Kotwali P.S. Case No.832 of 2025 dated 19.07.2025 under Sections 85/109/316(2)/3(5) of the BNS.

And

In the matter of: Debshibam Biswas & Anr. ... petitioners

Mr. Debabrata Ray,
Ms. Karabi Roy,
Ms. Sarbani Mukhopadhyay,
Mr. Soumik Mondal .
...for the petitioners.

Ms. Sayanti Santra,
Mr. Subhajit Chowdhury.
...for the State.

Mr. Arun Kumar Maiti (Mohanty),
Mr. R. R. Mohanty,
Ms. Puspita Chowdhury.
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioners submits that the petitioner no.1 was arrested and thereafter was granted bail. Therefore, his application for anticipatory bail is not pressed.

Accordingly, the application for anticipatory bail is dismissed as not pressed so far as the petitioner no.1 is concerned.

Learned counsel appearing on behalf of the petitioners further submits that the petitioner no.2 is the mother in law of the alleged victim. The father in law and the sister in law were granted anticipatory bail by the Sessions Court. The petitioner no.2 stands on the same footing as the father in law.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail.

Considering the nature of allegations and the materials available in the case diary and the fact that the principal accused being the husband was arrested and was thereafter granted bail, I do not think that custodial interrogation of the petitioner no.2 is required in this case and I am inclined to grant anticipatory bail to the petitioner no.2 (Kakali Biswas).

Accordingly, in the event of arrest, the petitioner no.2 (Kakali Biswas) shall be released on bail upon furnishing a bond of Rs.10,000/- 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 petitioner no.2 shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

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.)