

28.10.2025
Court No.28
Item No.36
ssi

CRM (A) 3229 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Hrapur PS Case No. **140 of 2025** dated **09.05.2025** under Sections 85/115(2)/117(2)/316(2)/89/109(1)/ 351(2)/ 3 (5) of BNS 2023 and 3 & 4 D.P. Act.

And

In the matter of: **Ruksana Khatoon @ Roksana Khatoon & others.**
....Applicants/Petitioners.

Mr. Apurba Kumar Datta
Ms. Sreemoyee Mukherjee

...for the petitioners

Mr. Aniket Mitra
Ms. Ratna Ghosh

...for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no.1 is the mother-in-law, the petitioner no.2 is the aunt in-law and the petitioners 3 and 4 are the sisters in law of the alleged victim. The marriage between the couple in question took place in 2021. As there was a difficulty in conceiving, the alleged victim was undergoing IVF treatment. But, the fetus was eventually termination. This has been unfortunately used as a weapon to harass the in laws.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the statements of the witnesses including of a doctor who had treated the victim. She had expressed her suspicion that the termination could have been due to application of force from outside. However, according to the injury report issued by a doctor, the report showed that there was a spontaneous abortion, a medical termination of pregnancy was done

on 17.01.2024 and the alleged victim was discharged on the very same day.

Considering the materials available in the case diary including the injury report of the victim showing a spontaneous abortion and conducting of an MTP on the alleged victim along with the fact that the couple in question was actually undertaking an IVF procedure, 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.

Accordingly, the application for anticipatory bail of the petitioners is allowed.

However, 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 co-operate with investigation and shall not threaten or intimidate the witnesses.

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

(Jay Sengupta, J.)