

29.10.2025
Sl. No.76
Ct. 28
NB

CRM (A) 3291 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 Barjora PS Case No.136/2025 dated 01.08.2025 under Sections 85/103(1)/80/3(5) of Bharatiya Nyaya Sanhita and 3/4 of Dowry Prohibition Act.

And

In the matter of: Jayanti Ghosh & Anr.

... petitioners

Mr. Proloy Bhattacharya,
Ms. Tanusree Ghosh,
Mr. Kaushik Roy.

...for the petitioners.

Ms. Sayanti Santra,
Mr. Diksha Ghosh

...for the State.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the sister in law and the husband of the sister in law of the alleged victim. The marriage between the couple in question took place in the year 2022. The main allegations are against the husband and the parents in law. The mother of the principal accused was arrested and thereafter granted bail. The petitioners stay separately at their own residence.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the statements of neighbours as well as the postmortem report.

Considering the materials available in the case diary and the alleged role ascribed to the present petitioners who are the sister in law and the husband of the sister in law of the victim

deceased, 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 no.2 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.)