

06.11.2025
Court No.28
Item No.41
tbsr
Allowed

CRM (A) 3324 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.**303 of 2025** dated **03.08.2025** under Sections **85, 316(2)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: **Mousam Dutta & Ors.**

....Petitioners.

Mr. Prasenjit Mukherjee
Mr. Kuntal Goswami
....for the petitioners

Mr. Pravas Bhattacharya
Ms. Suruchi Saha
....for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the husband, the parents-in-law and the sister-in-law of the alleged victim. The marriage between the couple in question took place in 2024. The de facto complainant works in a nationalized bank. First, she lodged a complaint before a Court which was dropped. Then she filed a writ petition. After the petitioner no. 1 filed a divorce suit, the present FIR was registered. The petitioners have been falsely implicated in this case. In the meantime, the de facto complainant had took away all the stridhan articles as would be reflected from the seizure list of such stridhan articles.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the statements of witnesses and other documents.

Considering the materials available in the case diary and the fact that there are allegations made by both the sides against each other and that the FIR is preceded by a divorce suit, 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 no. 1 shall meet the Investigating Officer 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.)