

19/11/2025
D/L – 35
Court No.28
S. Kundu
Allowed

C.R.M.(A) 3346 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with English Bazar P.S. case no. 1562 of 2025 dated 22.7.2025 under sections 85/64/351(2)/3(5) of the BNS.

In the matter of: Dipak Mandal & Anr.

...Petitioners.

Mr. Amitabha Karmakar
Mr. Arup Kr. Bhowmick

...for the petitioners.

Mr. Siddhartha Goswami

...for the de-facto complainant.

Mr. Sufi Kamal

...for the State.

1. A subsequent complaint dated 1.9.2025 filed on behalf of the de-facto complainant is taken on record.
2. Learned counsel appearing for the petitioners submits as follows. The petitioners are the parents-in-law of the alleged victim. The marriage between the couple took place about four years ago. The husband was granted anticipatory bail. The allegation of rape is against the petitioner no. 1. A bizarre allegation has been levelled by the victim that while the mother-in-law tightly held the feet of the victim, the father-in-law raped her.
3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He files a report, which is taken on record. He refers to the statements of local

witnesses and the victim before the learned Magistrate as also the injury report.

4. Learned counsel appearing for the de-facto complainant strongly opposes the prayer for anticipatory bail. He submits that subsequently threats are being given by the accused. It is further submitted on behalf of the de-facto complainant that as the de-facto complainant was not handed over a copy of the original FIR, she made a further complaint before the S.P dated 1.9.2025.
5. From the injury report, it appears that there were no sign of application of force. However, possibility of sexual violence was not ruled out.
6. The further complaint made by the de-facto complainant/alleged victim before the concerned S.P does not seem to contain any allegation of rape.
7. Considering the above and the other materials available in the case diary, I am inclined to grant anticipatory bail to the petitioners.
8. 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 further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner no. 1 shall meet the I.O once a week till submission of report in final form.

9. The Police Authorities shall ensure that there is no breach of peace and if the de-facto complainant feels that she is under any threat, she shall be at liberty to pray for relief/protection before the police authorities.
10. Accordingly, the application for anticipatory bail is allowed.
11. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)