

17.12.2025
Court No.28
Item Nos. 47
tbsr

CRM (A) 3921 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with **Malda** P.S. Case No.**445 of 2025** dated **27.06.2025** under Sections **109(1)/115(2)/117(2)/85/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Kalipada Sarkar & Ors.

....Petitioners.

Md. Wasim Akram
Ms. Sabrina Parveen
....for the petitioners

Mr. Anand Keshari
Ms. Poulami Bose
....for the State

Report filed on behalf of the State is taken on record.

The report shows that as per the opinion of the doctor, the death of the alleged victim/mother of the de facto complainant was caused due to heart failure arising out of a pre-existing heart condition and was due to natural causes.

Heard the learned counsels for the parties.

Perused the case diary.

Considering the materials available in the case diary, the fact that the principal accused being the husband of the de facto complainant was arrested and was thereafter granted bail, the alleged roles ascribed to the present petitioners and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner nos. 1 and 2.

As charge sheet has not been submitted against the petitioner no. 3, her application for anticipatory bail is not pressed by the learned counsel. Accordingly, the application for anticipatory bail so far as it relates to the petitioner no. 3 is dismissed as not pressed.

In the event of arrest, the petitioner nos. 1 and 2 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 petitioner nos. 1 and 2 shall not threaten or intimidate witnesses and shall surrender before the learned jurisdictional Court within four weeks and pray for bail.

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

The presence of the Investigating Officer is noted and is dispensed with.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)