

04.12.2025
Sl. No.56
Ct. 28
NB

CRM (A) 3884 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 Krishnagar Women PS Case No.112/2025 dated 23.09.2025 under Sections 126(2)/115(2)/118(2)/109/303(2)/351(2)/351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: Madhabi Ghosh

... petitioner

Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Gourav Roy.

...for the petitioner.

Ms. Shaila Afrin,
Ms. Sanjida Sultana.

...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the daughter in law of the de facto complainant. Earlier, the petitioner had filed an FIR alleging torture and assault by the husband and in laws. Reliance is placed on the injury report. As a counterblast, the FIR has been registered.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statements of victims and other witnesses and refers to the injury reports, which show injuries inflicted on vital parts of the body. The allegation is that after the institution of the first case, the petitioner in this case went back to her matrimonial home along with her relatives and assaulted the in laws.

It is submitted on behalf of the petitioner that in the first case started by the petitioner, the accused were granted anticipatory bail.

Considering the materials available in the case diary and the fact that there are case and counter case, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

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.)