

10.12.2025  
Sl. No.32  
Ct. 28  
NB

**CRM (A) 3927 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 Tarakeswar PS Case No.132/2025 dated 16.04.2025 under Sections 108(1)/3(5)/351(2) of the Bharatiya Nyaya Sanhita, 2023 and under Section 10 of the Prohibition of Child Marriage Act, 2006 and under Section 17 of the POCSO Act, 2012.

And

In the matter of: XXX & Anr.

... petitioners

Mr. Abhra Mukherjee,  
Mr. Sauradeep Dutta,  
Mr. Arpan Mukherjee,  
Mr. Himadree Ghosh.  
...for the petitioners.

Mr. Arijit Ganguly,  
Ms. Nahid Ahmed.  
...for the State.

Mr. P. Das,  
Ms. M. Patra,  
Mr. S. Chakraborty.  
...for the de facto complainant.

Vakalatnama filed on behalf of the de facto complainant is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The present petitioners are the parents in law of the alleged victim. The principal accused being the husband is in custody.

Learned counsel appearing on behalf of the de facto complainant submits that the principal accused is indeed the husband of the victim and the de facto complainant would have no objection, if anticipatory bail is granted to the present petitioners.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the

postmortem report and the statements of witnesses including those of neighbours and also the statements of the de facto complainant recorded before the learned Magistrate.

It appears from the statements of witnesses that about two and a half months ago, the principal accused had brought the victim to their house as his wife. Allegedly, there was a quarrel over buying a saree online. It also appears that the principal accused, the husband is in custody.

This is indeed an unfortunate incident of the death of a minor girl, the immediate trigger being the issue of buying a saree.

However, considering the above, the other materials available in the case diary and the fact that the principal accused is in custody, 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.1 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.)**