

08.12.2025
Court No.28
Item No 58
tbsr
Allowed

CRM (A) 3899 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Bhadreswar** P.S. Case No. **287 of 2025** dated **10.08.2025** under Sections **108/3(5)** of the BNS.

And

In the matter of: Madhumita Chakraborty

Mr. Sabir Ahmed
Md. Abdur Rakib
Mr. Tirthapati Achriya
Mr. Mojahid Mehedi
...for the petitioner.

Mr. S.S. Imam
Ms. Puspita Saha
.....for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was looking after the business of her deceased husband. She found that the victim who was the Manager of the business, had embezzled certain funds. The petitioner and her son asked him to return such money. After some time, the victim committed suicide. The principal accused, being the son of the petitioner, was arrested and was thereafter released on bail.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of witnesses, the post mortem report and the purported suicide note of the victim.

The said suicide note refers to a video recording made by the petitioner and her son about a sum of money to be repaid by the victim. However, it also refers to pressure by other lenders for return of money.

Considering the materials available in the case diary and the fact that the principal accused being the son of the petitioner was arrested and had been released on bail thereafter and that the petitioner is a female member of the household and the fact that charge sheet has been submitted, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant to anticipatory bail to the petitioner.

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 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 shall not threaten or intimidate witnesses and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

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.)