

AD 42
December 23, 2025
Ct. 28
SG

Allowed

CRM(A) 4092 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kotwali P.S. Case No.1128 of 2025 dated 11.10.2025 under Sections 108/61(2) of the BNS, 2023.

And

In the matter of:

Prosenjit Biswas @ Prasenjit Biswas and another
... petitioners

Mr. Manash Kumar Das
Mr. Sumanta Das

... for the petitioners

Mr. Partha Pratim Das
Mr. Sufi Kamal

... for the State

Learned counsel for the petitioners submits that the petitioner No.2 is the wife of the petitioner No.1. It was alleged that the petitioner No.2 was having an affair with the victim. She lodged a complaint against the victim on 12.05.2025. After about two months, the victim committed suicide. The petitioners have been falsely implicated in this case.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the case diary including the statements of witnesses, the purported suicide note and the post-mortem report.

It will be for the Courts to finally decide whether there is any element of abetment of suicide in this case.

However, considering the materials available in the case diary, I do not think that custodial interrogation of the petitioners are required in this case and I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioners shall cooperate with the investigation, shall not threaten or intimidate witnesses 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, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)