

22.12.2025
Court No.28
Item No.101
ssi

CRM (A) 4091 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Kandi Police Station Case No.**510 of 2025** dated **27.10.2025** under Sections **49/105/3(5)** of the BNS, 2003.

And

In the matter of: **Masuda Bibi @ Masuda Khatun & others.**

....Applicants/Petitioners.

Mr. Tapodip Gupta

...for the petitioners

Mr. Bitasok Banerjee

Mr. Subhashis Dutta

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are female members of the household. While the petitioner no.2 is about 72 years old, the petitioner nos.1 and 3 are presently in the family way. The main allegations are against the co-accused.

Learned counsel appearing on behalf of the State relies on the statements of witnesses and the post-mortem report and opposes the prayer for anticipatory bail.

From the statements of an eye-witness present at page 11 of the case diary, it appears that the petitioners and another accused, namely Fajar Ali, had accosted the victim and started an altercation. Thereafter, the said Fajar Ali took the victim aside and slapped him after which he fell down. The post-mortem report states that the cause of death was cardiac failure due to stress.

Considering the above, the other materials available in the case diary including the post mortem report, the alleged roles ascribed to

the present petitioners and the fact that the principal accused being Fajar Ali was arrested and thereafter granted bail, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, the application for anticipatory bail of the petitioners is allowed.

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 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 conditions that the petitioners shall not threaten or intimidate the witnesses and shall co-operate with the investigation.

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

(Jay Sengupta, J.)