

02.01.2025
23.
Ct. No. 28
SG
[ALLOWED]

C. R. M. (A) 4671 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Katwa Police Station Case No. 1164 of 2023 dated 09.12.2023 under Sections 420/406 of IPC.

And

In Re: **Banasree Das @ Banashree Das and Ors.**

... .. Petitioners

Mr. Sandip Chakrabarty,
Mr. Tanwar Alam,
Mr. Kaustav Das.

... .. for the petitioners

Mr. Pravash Bhattacharya,
Mr. Rahul Ganguly.

... .. for the State

1. Petitioner no. 1 is the daughter-in-law of the *de facto* complainant. She had been subjected to torture and had instituted a criminal case alleging cruelty against the *de facto* complainant and other in-laws. In retaliation, petitioner no. 1 and her family members i.e. petitioner nos. 2 to 51 have been falsely implicated. Accordingly, they pray for anticipatory bail.

2. Learned Advocate for the State submits petitioner no. 1 and her relations had demanded money from the *de facto* complainant for giving employment to her husband who is a physically challenged person.

3. We have considered the materials on record. Petitioner no. 1 is the daughter-in-law of the *de facto* complainant. Petitioner nos. 2 to 5 are her relations. Petitioner no. 1 was married to a physically challenged person. Due to matrimonial dispute she withdrew from the matrimonial home and lodged a

criminal case alleging cruelty against her mother-in-law, that is, the *de facto* complainant. Subsequently, the present case was registered alleging since 2016 the petitioners had induced *de facto* complainant to pay money on the false promise of giving employment for her son, that is, petitioner no. 1's husband. Though the transactions commenced from 2016 allegation of fraud and cheating have been levelled belatedly after petitioner no. 1 instituted criminal case alleging cruelty. In this backdrop, possibility of false implication cannot be ruled out.

4. Under such circumstances, we are inclined to grant anticipatory bail.

5. Accordingly, we direct that in the event of arrest, the petitioners viz., **(1) Banasree Das @ Banashree Das, (2) Aparna Das, (3) Monojit Das, (4) Tubai Das and (5) Tilak Das** be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

[Shampa Dutt (Paul), J.]

[Joymalya Bagchi, J.]