

04.04.2025
Item no. 07.
Court No.1.
S.De
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) 172 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kharibari Police Station Case No.289 of 2024 Dated 18.09.2024 under Sections 103/238/3(5) of the B.N.S., 2023.

And

In the matter of : Pratima Banik.

.....Petitioner.

Mr. Hillol Saha Poddar,
Ms. Mousumi Das,for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Subhasish Misra,for the State.

1. The petitioner says that she has absolutely no connection with the alleged murder of the victim. She has been implicated on the basis of speculative statements of witnesses and, in particular, the mother-in-law of the victim. Her husband was arrested and has been granted bail. She will co-operate with the investigating officer. She prays for pre-arrest bail.
2. Learned State counsel draws my attention to the statements of witnesses recorded under Section 161 Cr.P.C. (Section 180 of B.N.S.S.). In particular, she has shown me the statement of one Jhanjhani Rajbanshi, the mother-in-law of the victim lady. She merely says

that she has a suspicion that the people with whom the victim had business relationship, the victim having been a vegetable vendor, may have committed the murder.

3. On an overall consideration of the material-on-record and considering that the petitioner is a lady and a house wife and her husband has been enlarged on bail by the learned Trial Court, I am of the view that immediate custodial interrogation of the petitioner may not be necessary so long as she co-operates with the Investigating Officer.
4. Accordingly, in the event of arrest, the petitioner, namely, **Pratima Banik** 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that she shall co-operate with the investigating officer and shall meet the Investigating Officer of this case as and when called for.
5. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the learned

Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

6. The application for anticipatory bail, being CRM (A) 172 of 2025, stands disposed of.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)