

22. 09.04.2025
Court
No.1 (Tanmoy)

Allowed

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

CRM (A) 257 of 2025

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 / Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **NCB R. G.R.P.S. Case No. 06/2025** dated **18/02/2025** under Sections **80/85/62** of Bharatiya Nyaya Sanhita, 2023. G.R. Case No. 357/2025.

And

In the matter of: - **Subhash Chandra Ghosh & Ors.**

...petitioners.

Ms. Suman Sehanabis (Mandal)
Mr. Partha Pratim Saha
Ms. Anwesh Chakraborty
Mr. Sayeef Chowdhury

...for the petitioners.

Mr. Kallol Acharjee
Mr. Biswarup Roy

...for the State.

1. The petitioners are the father-in-law, mother-in-law and sister-in-law respectively of the victim lady. The allegation is under Sections 80/85/62 of Bharatiya Nyaya Sanhita, 2023, corresponding to Sections 498A/304B/511 of the Indian Penal Code, 1860.
2. The petitioners say that they have no role to play in the alleged offence. The prime accused is the husband of the victim lady who is at large. The petitioners will co-operate fully with the Investigating Officer. They pray for pre-arrest bail.
3. Learned State Advocate, while opposing the prayer for anticipatory bail, says that the husband of the victim, the prime

accused, is absconding. He shows me the statements of witnesses recorded under Section 180 of Bharatiya Nagarik Suraksha Sanhita, 2023. There are omnibus and general allegations against these petitioners. I also find that another sister-in-law of the victim being the married sister of the victim's husband, is named in the First Information Report (FIR). She has been granted anticipatory bail.

4. On an overall assessment of the facts and circumstance of the case and the possible extent of complicity of these petitioners in the alleged offence and also keeping in mind the advanced age of the petitioner nos. 1 and 2, I am of the opinion that immediate custodial interrogation of the petitioners may not be necessary so long as they co-operate with the Investigating Officer.
5. Accordingly, in the event of arrest, the petitioners, namely, **1. Subhash Chandra Ghosh, 2. Anjali Ghosh, 3. Priti Ghosh @ Mun Ghosh**, 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 shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023, until further orders and on further condition that the petitioners shall appear before the learned Trial Court on each and every date of hearing and the petitioner no.1 shall report to the Investigating Officer of the case, once

every fortnight and the petitioner nos. 2 and 3 shall meet the Investigating Officer as and when called for, until further orders. Within seven days from date, the petitioner no.1 shall go and meet the Investigating Officer of this case.

6. In case the petitioners fail to adhere to any of the conditions stipulated above, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
7. The application for anticipatory bail being CRM (A) 257 of 2025 is accordingly disposed of.
8. Criminal Section is directed to make available certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Arijit Banerjee, J.)