

21.5.2025  
SL No.2  
Court No.1  
(tk)

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

**CRM (A) 324 of 2025**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

In the matter of : **Martha Barla @Maratha Bala & Anr.,  
...Petitioners.**

Mr. H. Saha Poddar

...For petitioners.

Mr. S. Chatterjee,  
Chattu Roy,

... For the State.

1. The application for anticipatory bail is made by the applicants, where the applicant no.1 is the mother-in-law and applicant no.2 is the sister-in-law of the complainant whose husband died on January 30, 2014.
2. In the complaint dated April 28, 2025, it is stated that she was tortured mentally and physically before her husband's death for bringing dowry and thereafter in the month of May 2014 when she left her in-laws' house and started to live with her minor son at her parental house. No complaint was lodged any time since 2011 (after marriage) even until 2014 when her husband died or even thereafter.
3. The immediate allegation in April 2025 is that the applicants are refusing to return the stree dhan properties to the victim.
4. The victim, in her complaint dated April 28, 2025, claims that recently she went to her mother-in-law's house where she was

beaten mercilessly and was also threatened with murder and was refused any maintenance. No date is mentioned.

5. This Court is of the view that if at all the incidents of torture occurred sometime in the year 2014, the complainant is now living away from her in-laws.
6. Learned counsel for the State vehemently opposes the prayer for anticipatory bail.
7. In the above circumstances, the applicants have made out a case for anticipatory bail.
8. In the event of arrest, the applicants shall be released on bail on furnishing bonds of Rs.5000/- each with two sureties of like amount each, one of whom should be local.
9. The applicants shall not leave the jurisdiction of Bagdogra Police Station without the express leave of the Investigating Officer in writing.
10. The other conditions of section 438 of the CrPC equivalent to section 482 of the BNSS shall be applicable to the applicants as conditions of bail.
11. With the above directions, the application stands disposed of.

**(Rajasekhar Mantha, J.)**