

24.11.2025
Item no.9(DL)
Court No.3
srm
(Allowed)

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (A) 664 of 2025

In Re:- An application for anticipatory bail under Section 482 of the BNSS, 2023 in connection with Kharibari P.S. Case No.43 of 2020 dated 16.02.2020 under Sections 498A/304B of the Indian Penal Code corresponding to G.R. Case No.529 of 2020 pending before the learned Additional Chief Judicial Magistrate, Siliguri.

In the matter of : **Rina Biswas @ Rina Paul Biswas & Ors.**
... Petitioners.

Mr. Subham Ghosh,
Mr. Mayank Roy

...for the Petitioners.

Mr. Aditi Sankar Chakraborty, APP
Mr. Biswarup Roy

.....for the State.

1. Report filed by the State is taken on record.
2. Learned Advocate for the petitioners submit that the case was initiated under Section 498A/304B/302 of the Indian Penal Code. However, the charge sheet has been submitted under Sections 498A/304B of the Indian Penal Code. The husband of the victim has been granted bail by the learned Sessions Judge. The petitioners are the mother-in-law, brother-in-law and sister-in-law respectively. There are no such specific allegations against these petitioners. He seeks for grant of anticipatory bail in favour of the petitioners.

3. Opposing such prayer for anticipatory bail, learned Advocate for the State submits that the victim died in the matrimonial home within four years of marriage. *Post mortem* report records that the possibility of homicide cannot be ruled out. He seeks for dismissal of the application for grant of anticipatory bail.
4. Perused the case diary and the materials on record.
5. It is found from the statement of the witnesses that the allegations against these petitioners, who happen to be mother-in-law, brother-in-law and sister-in-law respectively, are general in nature. *Post mortem* report records that the death was due to effect of hanging which is *ante mortem* in nature, the possibility of homicide cannot be ruled out. Be that as it may, charge sheet has been submitted under Sections 498A/304B of the Indian Penal Code. Considering the above and keeping in mind the extent of complicity of the petitioners, I am inclined to allow the prayer of the petitioners for anticipatory bail.
6. Accordingly, in the event of arrest, the petitioner No.1, namely **Rina Biswas @ Rina Paul Biswas**, the petitioner No.2, namely **Bibhas Biswas** and the petitioner No.3, namely **Tulika Biswas** shall 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973

corresponding to 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall attend the Court on the date fixed for appearance.

7. This application for anticipatory bail is, thus, allowed.
8. ***CRM (A) 664 of 2025*** stands disposed of.

(Bivas Pattanayak, J.)