

17.11.2025
Item no.57 (DL)
Court No.3
AN
(Partly Allowed)

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

C.R.M. (A) 710 of 2025

In Re:- An application for anticipatory bail under Section 482 of BNSS, 2023 in connection with Maynaguri P.S. Case No. 387 of 2025 dated 28.07.2025 under Sections 85/80/3(5) of Bharatiya Nyaya Sanhita, 2023 corresponding to PTN No. WBJP02P004-616/25 pending before the Court of learned Chief Judicial Magistrate, Jalpaiguri.

In the matter of : **Nitesh Roy @ Nites Roy & anr.**
... Petitioner.

Mr. Jaydeep Kanta Bhowmick
Mr. Sayantan Bhowmick
Mr. Shubham Kumar
Ms. Sayantani Das

...for the Petitioner.

Mr. Ujjwal Luksom
Ms. Namrata Das

...for the State.

1. Learned Advocate for the petitioner submits that the victim and the petitioner no. 1 were married to each other out of love affairs. There are no such allegations of any torture on the ground of demand of dowry after the marriage till the death of the victim. The petitioners are no way related to the commissioning of suicide by the victim. The grand father-in-law of the victim, being a co-accused has been granted bail by the learned Sessions

Judge, Jalpaiguri. He seeks for grant of anticipatory bail to the petitioners.

2. Opposing such prayer for anticipatory bail, learned advocate for the State submits that the victim committed suicide in her matrimonial home within 7 months of marriage. There are allegations of torture against the petitioners which culminated into suicide by the victim. He seeks for dismissal of the anticipatory bail application.
3. Perused the case diary and the materials on record.
4. Petitioner no. 1 is the husband and petitioner no. 2 is the mother-in-law of the victim. There are statements of witnesses revealing allegation of torture and demand of dowry. As per the post mortem report, the death is due to effect of poisonous substance which is ante mortem in nature. In view of the presumption in law, I am not inclined to grant anticipatory bail to petitioner no. 1, the husband of the victim, hence the same stands rejected. So far as petitioner no. 2, the mother-in-law is concerned, she stands on the same footing as of the grand father-in-law of the victim, who has been favoured with an order of anticipatory bail by the learned Sessions Judge, Jalpaiguri.
5. Accordingly, in the event of arrest the petitioner no. 2, the mother-in-law namely **Anjana Roy** shall be released on bail upon furnishing a bond of Rs.10,000/- 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. The petitioner no. 2 is directed to cooperate with the Investigating Officer.

6. This application for anticipatory bail is, thus, allowed in part.
7. **CRM (A) 710 of 2025** stands disposed of.
8. Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of all requisite formalities.

(Bivas Pattanayak, J.)