

27.11.2025
Item no.26(DL)
Court No.3
srm
(Allowed)

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

C.R.M. (A) 838 of 2025

In Re:- An application for anticipatory bail under Section 482 of BNSS, 2023 in connection with Tufanganj P.S. Case No.512 of 2025 dated 01.09.2025 under Sections 80/3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 3/4 of the Dowry Prohibition Act corresponding to GR Case No.789 of 2025.

In the matter of : **Samsul Haque @ Chamchul Haque & Ors.**
... Petitioners.

Mr. Hillol Saha Podder
...for the Petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das
...for the State.

1. On the prayer of learned Advocate for the petitioner, leave is granted to correct the cause title of the application by incorporating Sections 3/4 of the Dowry Prohibition Act.
2. Learned Advocate for the petitioners submit that husband of the victim has been granted bail by the learned Sessions Judge, Cooch Behar. There are no such specific allegations against these petitioners, who are parents-in-law and brother-in-law. 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 there are specific allegations against these petitioners of cruelty upon the

victim/lady who died within three years of marriage. He seeks for dismissal of the application for grant of anticipatory bail.

4. Perused the case diary and the materials on record.
5. The statement of the parents of the victim though shows allegations against these petitioners, yet, the same appears to be general in nature. As per the *post mortem* report the death was due to effect of *ante mortem* hanging. Considering the above, I am inclined to extend the benefit of anticipatory bail in favour of the petitioners.
6. Accordingly, in the event of arrest the petitioner No.1, namely **Samsul Haque @ Chamchul Haque**, petitioner No.2, namely **Jabeda Bibi** and petitioner No.3, namely **Jiyarul Haque** 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. The petitioner Nos.1 and 3 shall meet the Investigating Officer of the concerned police station once in a fortnight until further orders. The petitioners shall attend the Court on the dates fixed for appearance and hearing. The petitioners are directed to cooperate with the Investigating Officer.

7. In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code/ Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023, the learned trial Court shall be entitled to cancel the anticipatory bail without further reference to this Court.
8. This application for anticipatory bail is, thus, allowed.
9. **CRM (A) 838 of 2025** stands disposed of.

(Bivas Pattanayak, J.)