

11.02.2026
Court No.28
Item No. 32
tbsr
Allowed

CRM (A) 118 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Panskura** P.S. Case No. **304 of 2025** dated **30.04.2025** under Sections **137(2)/140(3) and** added Sections **109** of the BNS, 2023 read with Section 6 of POCSO Act, 2012.

And

In the matter of: XXXX & Ors.

....Petitioners.

Mr. Shraman Sarkar
Mr. Dhiman Banerjee
Mr. Md. Tehasin Reja

....for the petitioners

Mr. Partha Pratim Das
Ms. Srilekha Chattopadhyay
....for the State

Report filed on behalf of the State is taken on record.

Affidavit of service filed on behalf of the petitioners is taken on record.

Despite service, no one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the brother-in-law, the sister-in-law and the mother-in-law of the alleged victim. The husband is in custody. The father-in-law was arrested and was thereafter granted bail. The present petitioners have been falsely implicated in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the victim and the other witnesses and the injury report, which shows poisoning. Although the alleged victim stated in her statements before

the learned Magistrate that everybody had poured poison into her mouth, in the statements of the victim recorded at the hospital by the police, she categorically stated that it was the father-in-law who had poured poison into her mouth.

Considering the above, the other materials available in the case diary, the alleged roles ascribed to each of the petitioners, the fact that principal accused being the father-in-law was arrested and was thereafter granted bail and the husband is also in custody, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioners shall cooperate with investigation, shall not threaten or intimidate witnesses and the petitioner no. 1 shall meet the I.O. once a fortnight till submission of report in final form and.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)