

01.04.2026
Court No.28
Item No.36
ssi

CRM (A) 403 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Ramnagar Police Station Case No.79 dated **24.04.2025** under Sections **85/80/316(2)/3(5) of BNS, Section 6 of POCSO Act, Section 6 of Dowry Prohibition Act and Section 9/10 of Prohibition of Child Marriage Act, 2006**

And

In the matter of: **XXX & others.**

.... Petitioners

Mr. Sandip Mandal

...for the petitioners

Mr. B. K. Roy
Mr. Kunal Ganguly

..for the CBI

No one appears on behalf of the de facto complainant despite service.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the elder sister-in-law, the mother-in-law, the aunt-in-law and the father-in-law of the alleged victim. The provision of the POCSO Act has been added because the victim was allegedly a minor at the time of marriage. The petitioners have been falsely implicated in this case. Some other co-accused who were arrested are on bail.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on the statements of some relatives of the accused, which implicate the accused. He also relies on the statement of the father of the victim and the informant and the post mortem report. There is allegation of torture due to

demand for dowry. The minor victim died within twenty days of marriage. Investigation is pending.

It appears that one of the principal accused, the husband of the alleged victim is not present before this Court. He has not yet been arrested.

Considering the above, the other materials available in the case diary and the alleged roles ascribed to each of the present petitioners, while I am inclined to grant anticipatory bail to the petitioner nos. 1 (sister in law of the victim) and 3 (aunt in law of the victim), the application for anticipatory bail of the petitioner nos. 2 (mother in law) and 4 (father in law) is rejected.

In the event of arrest, the petitioner nos. 1 (sister in law of the victim) and 3 (aunt in law of the victim) 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 conditions that the petitioner nos. 1 (sister in law of the victim) and 3 (aunt in law of the victim) shall co-operate with the investigation and shall not threaten or intimidate the witnesses.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)