

10.02.2026
Court No.28
Item No. 42
tbsr
Allowed

CRM (A) 280 of 2026

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973/under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Shibpur** P.S. Case No.**354 of 2022** dated **02.11.2022** under Sections **498A/406/306/34** of the IPC corresponding Section 85/316(2)/108/3(4) of the BNS, 2023 and 3/4 Domestic Violence Act.
And

In the matter of: Sarbani Dutta

....Petitioner.

Mr. Rafikul Islam Sardar
....for the petitioner
Mr. Saibal Bapuli, Id. APP
Mr. Arani Bhattacharyya
....for the State

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the married sister-in-law of the alleged victim, staying elsewhere. Earlier, the mother-in-law and another sister-in-law of the alleged victim were granted anticipatory bail by this Court. All of them stand on the same footing.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that the petitioner stands on the same footing as the ones who were earlier granted anticipatory bail.

It appears that the principal accused is the husband, who was arrested and was thereafter granted bail.

Considering the above, the other materials available in the case diary, the fact that the petitioner is the married sister-in-law of the alleged victim, the principal accused, being the husband, was earlier

arrested and was thereafter granted bail and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 surrender before the learned jurisdictional Court within four weeks from this date and pray for bail and shall attend the jurisdictional Court regularly and shall not threaten or intimidate witnesses.

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.)