

12.02.2026
Court No.28
Item No. 42
tbsr
Allowed

CRM (A) 354 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Nakashipara** P.S. Case No.**1218 of 2025** dated **24.11.2025** under Sections **108/3(5)** of the BNS, 2023.

And

In the matter of: Nusia Sk. @ Nusia Bibi & Anr.

....Petitioners.

Mr. Sumanta Das

....for the petitioners

Mr. Sandip Charkaborty

Ms. Suparna Chatterjee

....for the State

Learned counsel appearing on behalf of the petitioners submits that the petitioner no. 1 is the wife of the alleged victim. The marriage between the couple took place about 14 years ago. Earlier, the petitioner no. 1 had lodged an FIR against the alleged victim, *inter alia*, under Section 498A of the Penal Code. Thereafter, she started to reside at her father's place. The husband committed suicide at his own residence. There is an allegation that the petitioner no. 1 was having an affair with the petitioner no. 2.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the post mortem report and the statements of witnesses.

It will be for the Courts to finally decide whether there is any element of abetment of suicide in this case.

However, considering the materials available in the case diary, 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. 2 shall meet the I.O. once a fortnight till submission of report in final form.

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.)