

16/02/2026
D/L – 48
Court No.28
S. Kundu
Allowed

C.R.M.(A) 379 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Santipur P.S case no. 1563 of 2025 dated 8/12/2025 under sections 85/316(2)/3(5) of the BNS and 3(1)(R)(S) of the SC and ST (Prevention of Atrocities) Act, 1989.

In the matter of: Gita Mondal & Ors.

...Petitioners.

Mr. Asis Bhattacharyya

...for the petitioners.

Ms. Shaila Afrin

Ms. Suruchi Saha

...for the State.

1. Learned counsel appearing for the petitioners submits that no *prima facie* case is made out under the SC and ST (POA) Act so as to attract the bar on anticipatory bail. The petitioners are the -in-laws of the alleged victim. The de-facto complainant had left the matrimonial home five years ago. The petitioners have complied with notices issued.
2. Learned counsel appearing for the State opposes the prayer for anticipatory bail. She relies on the statements of the victim and other witnesses.
3. From the FIR, it does not appear that any occurrence that could have attracted the provisions of the SC and ST (POA) Act was made in public view. Even the neighbours have not supported the case in this regard in their statements. Therefore, the application for anticipatory

bail is quite maintainable as no *prima facie* case appears to have been made out under the SC and ST (POA) Act.

4. There is no injury report present in the case diary.
5. Considering the above and the other 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.
6. 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 further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate the witnesses.
7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)