

24.02.2026
Court No.28
Item No.30
ssi

CRM (A) 449 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Habibpur Police Station Case No.**433 of 2025** dated **06.12.2025** under Sections **85/80/103 (1)/3(5)** of the BNS 2023.

And

In the matter of: **Joy Biswas.**

.... Petitioner.

Mr. Abhishek Chakraborty
Mr. Musharraf Alam Sk
Mr. Sohail Ahemed Ansari

...for the petitioner

Md. Wasim Akram

...for the de facto

Mr. Saibal Bapuli, Ld. APP
Mr. Arani Bhattacharyya

..for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the husband of the alleged victim. The incident took place four years after marriage. Other co-accused were granted anticipatory bail by the learned Sessions Court. Actually, a quarrel took place between the couple over feeding the infant. In the heat of the moment, the wife committed suicide by hanging.

Learned counsel appearing of the de facto complainant opposes the prayer for anticipatory bail. Immediately before the incident, the victim had called up her parents and intimated that she was being tortured by the husband.

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

present at page 31 of the case diary. According to him, there was a quarrel between the couple as the victim had tried to feed 'chattu' to the infant. When the child refused, she had slapped the child. This led to an altercation between the husband and the wife which ultimately led the wife committing suicide.

Considering the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and 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 conditions that the petitioner shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O. once a fortnight till submission of report in final form.

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

(Jay Sengupta, J.)