

06.03.2026
Sl. No.29
NB

CRM (A) 472 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Malda PS Case No.687/2025 dated 29.09.2025 under Sections 85/103(1)/3(5) of the BNS, 2023.

And

In the matter of: Asit Halder

... petitioner

Mr. Kazi M. Rahman

...for the petitioner.

Mr. Sanjoy Bardhan,

Mr. Debangshu Ghorai.

..for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the husband of the alleged victim/wife. The marriage between the couple took place about eight years ago. On the fateful day, the victim allegedly committed suicide after killing her two minor children. After the incident, the petitioner became mentally unstable. The parents in law, the sister in law and the brother in law of the victim were granted anticipatory bail by this Court on 06.01.2026 in *CRM (A) 4172 of 2025*.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements of the local witnesses recorded before the Police as also before the learned Magistrate, the statements of the relatives of the victim and the postmortem reports.

It appears from the statements that the couple had been residing elsewhere for some time. There is an allegation that the petitioner was torturing the victim/wife even at that other place. About

three months prior to the incident, they had moved into the parent's house of the present petitioner.

Considering the above, the other incriminating materials available in the case diary and the alleged role ascribed to the present petitioner, I do not consider this to be a fit case for granting anticipatory bail to the present petitioner.

The application for anticipatory bail of the petitioner is, thus, rejected.

The presence of the Investigating Officer is noted and is dispensed with.

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.)