

AD 60
February 26, 2026
Ct. 28
SG

Allowed

CRM(A) 531 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dalkhola P.S. Case No.126 of 2025 dated 23.05.2025 under Sections 329(4)/115(2)/118(2)/103(1)/3(5) of the BNS, 2023.

And

In the matter of:

Puja Modak @ Basanti Kumari Modak and others
... petitioners

Mr. Amit Roy
Mr. Anish Tiwari

... for the petitioners

Mr. Sanjay Banerjee
Mr. S. Nandy

... for the State

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. They are female members of the household. The principal allegations are against one Munna Modak. Some other co-accused were granted anticipatory bail by the Sessions Court. Charge sheet has been submitted.

Learned counsel for the State strongly opposes the prayer for anticipatory bail and relies on the statements of witnesses and the post-mortem report.

It appears from the statement of the daughter of the victim that the principal accused is one Munna Modak, who is the brother of the victim.

Considering the above, the other materials available in the case diary, the alleged role ascribed to each of the petitioners and the fact that the principal accused appears to be one Munna Modak, who is not before this Court, the petitioners are female members of the household and charge-sheet has been submitted, 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/- (rupees ten thousand) 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 the further conditions that the petitioners shall surrender before the jurisdictional court within four weeks from this date and pray for bail, attend the jurisdictional court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)