

AD 57
April 7, 2026
Ct. 28
SG

Allowed

CRM(A) 581 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Harishchandrapur P.S. Case No.69 of 2023 dated 27.01.2023 under Sections 363/365/366A of the IPC.

And

In the matter of: Soharbanu Bibi @Sahar Banu

... *petitioner*

Mr. A. Islam
Mr. A. Sarkar
Mr. M. Masud

... for the petitioner

Mr. Soumik Ganguly
Mr. S.S. Saha

... for the State

Ms. Khadijatul Kubra

... for the de facto complainant

Learned counsel for the petitioner submits that the petitioner is the mother of the principal accused. The principal accused and his father were arrested and thereafter granted bail. The FIR has been lodged by the father of the victim three years after the marriage of the victim with the son of the petitioner.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel for the State opposes the prayer for anticipatory bail and refers to the statements of the victim recorded before the learned Magistrate and other witnesses and the medical report. He submits that according to the statement of the victim, the petitioner kidnapped her for

selling her. As the same could not be done, she was given in marriage to the petitioner's son. Later, it was found that the principal accused was married. He again married someone else. According to the statements of witnesses, the principal accused, the family members and the alleged victim went to Ajmer and the two got married. Charge-sheet has been submitted.

Considering the above, the other materials available in the case diary, the fact that the principal accused and his father were arrested and thereafter granted bail, the delay in lodging the FIR and that charge-sheet has been submitted, 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/- (rupees ten thousand) 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 petitioner shall surrender before the jurisdictional court within four weeks from this date and pray for bail, shall attend the jurisdictional court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Personal appearance of the investigating officer is noted and is dispensed with.

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

(Jay Sengupta, J.)