

31.03.2026
Court No.28
Item No.62
tbsr
Allowed

CRM (A) 585 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Itahar** P.S. Case No.**903 of 2025** dated **14.12.2025** under Sections **85/117(2)/109(1)/3(5)** of the Bharatiya Nyaya Sanhita, 2023 and Section 103(1) of the BNS.

And

In the matter of: **Rahima Bibi @ Rohima Khatun**

....Petitioner.

Mr. Anindya Ghosh
Ms. Sumita Sarkar

....for the petitioner

Mr. Partha Pratim Das
Mr. Asraf Mandal

.. for the State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the wife of the brother-in-law of the alleged victim. She has been falsely implicated in this case. The husband, being the principal accused in this case, was granted bail. In fact, the learned Sessions Court has granted anticipatory bail to similarly circumstanced co-accused. The inquest report has recorded that the victim caught fire from cooking.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on the statements of local witnesses as well as the FIR, the inquest report and the post mortem report.

The inquest report in question was done in the hospital and the body was taken to the hospital by the husband and others. Therefore, the source of the note present in the inquest report that

the victim caught fire from cooking has to be further explored by the trial Court in the light of other evidence.

However, considering the materials available in the case diary, the alleged role ascribed to the present petitioner and the fact that one of the principal accused, being the husband, was arrested and was thereafter granted bail, 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 condition that the petitioner shall cooperate with investigation and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)