

21/04/2026
D/L – 60
Court No.28
S. Kundu
Allowed

C.R.M.(A) 784 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Goghat P.S case no. 494 of 2025 dated 04/11/2025 under Sections 85/326(g)/118(2)/123/109 of the BNS and Section 4 of the Dowry Prohibition Act and adding Section 103(1)/80/64(2)(m) of the BNS and Section 6(1) of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act.

In the matter of: XXX & Anr.

...Petitioners.

Mr. Soumik Ganguly
Ms. Priti Barman

...for the petitioners.

Mr. Suman Chakraborty

...for the De-facto complainant.

Mr. Saibal Bapuli
Mr. Mujibar Ali Naskar

...for the State.

1. Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the brother-in-law and wife of the brother-in-law of the alleged victim lady. The petitioners are in no way connected with the alleged offences. They stay separately. The principal accused being the husband of the victim has already been arrested.
2. Learned counsel appearing on behalf of the de-facto complainant strongly opposes the prayer for anticipatory bail.
3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the statements of the witnesses including those made before the learned

Magistrate, the post-mortem report and the dying declaration of the alleged victim. He submits that the underage victim girl was given in marriage to the co-accused about seven years ago. Thereafter, she was tortured. It is alleged that husband and the parents-in-law had tried to pour poison into the mouth of the alleged victim and thereafter, when the victim lady was sleeping at her parental home with her brother, the husband came with kerosene and set them on fire. Subsequently, the two succumbed to their injuries.

4. This is a case of gruesome double murder. The allegation of setting the victims on fire is against the husband. As per the statements of the relatives of the victim, the allegation of pouring poison into the mouth of the victim on an earlier occasion is against the husband and the parents-in-law.
5. Considering the above, the other materials available in the case diary, the alleged roles ascribed to the present petitioners and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the present petitioners.
6. In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the petitioners shall not threaten or intimidate the witnesses. The petitioners

shall surrender before the jurisdictional Court and pray for bail within four weeks from date and regularly attend the jurisdictional Court.

7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)