

08.04.2026
Court No.28
Item No.57
tbsr
Allowed

CRM (A) 694 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Hariharpara** P.S. Case No. **79 of 2026** dated **04.02.2026** under Sections **85/103(1)/80(2)/3(5)** of the BNS, 2023.

And

In the matter of: Biswajit Das & Anr.

....Petitioners.

Mr. Shibaji Kr. Das

Ms. Deblina De

Ms. Maitriye Das

....for the petitioners

Mr. Saibal Bapuli, Id. APP

Mr. Arani Bhattacharya

....for the State

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the brother-in-law and the mother-in-law of the alleged victim. The marriage between the couple took place about two years ago. The husband and the father-in-law have been arrested earlier. The FIR was lodged through an application under Section 173(5) of the BNSS after about 40 days of the incident. The main allegations are against the husband of the victim.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the post mortem report and the other materials available in the case diary including the statements of neighbours.

Considering the above, the other materials available in the case diary and that fact that the principal accused, being the husband of the victim, was arrested, I do not think that custodial interrogation of

the petitioners are required in this case and 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/- 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 further condition that the petitioners shall cooperate with investigation, shall not threaten or intimidate witnesses and the petitioner no. 1 shall meet the I.O. once a week till submission of report in final form.

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.)