

22.06.2026
Sl. No.13
Ct. 28
NB

C.R.M (A) 977 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Arambagh Women PS Case No.03/2026 dated 11.01.2026 under Sections 109/115(2)/117(2)/3(5)/316(2)/351(3)/352/75/76/85 of the BNS and Section 4 of the DP Act, 1961.

And

In the matter of: Sukumar Chakrabarti @ Sukumar Chakraborty
@ Sukumar Chakrabarty & Ors. ... petitioners

Mr. Krishan Ray,
Mr. Anamitra Banerjee,
Ms. Isita Kundu.

...for the petitioners.

Mr. Sunil Gupta.

...for the State.

Mr. Niladri Sekhar Ghoshal,
Ms. Labani Sikder,
Mr. Souvik Dey.

...for the de facto complainant.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the 79 year old father in law, the husband who is a teacher and the brother in law who was purportedly being treated in a clinic at the time of occurrence, as mentioned in the FIR. There is a delay of about 21 days in filing the application before the Magistrate, which led to the registration of the FIR. Actually, the de facto complainant left the matrimonial home in 2020 and the husband has been paying a consolidated amount as maintenance for the wife and child for all these years, which would total to about Rs.5 Lakhs till date. The marriage between the couple had taken place 13 years ago.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He refers to the FIR, the statements of witnesses including that of the victim recorded before the learned Magistrate and an injury report showing abrasions.

Considering the above, the other materials available in the case diary, the copies of documents including bank statements annexed by the petitioners in the application for anticipatory bail, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner nos.2 and 3 shall meet the Investigating Officer once a week till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)

