

07.04.2026
Sl. No.37
Ct. 28
NB

C.R.M (A) 1054 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 Khargram PS Case No.40/2026 dated 22.01.2026 under Sections 126(2)/108/351(2)/3(5) of the BNS, 2023.

And

In the matter of: Hiyaj Uddin Sk. & Anr. ... petitioners

Mr. Navanil De,
Ms. Monami Mukherjee.
...for the petitioners.

Mr. Saibal Bapuli,
Mr. Subham Bhakat.
...for the State.

Leave is granted to amend the cause title.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the parents of the principal accused. The principal accused is presently in custody. There was an alleged affair between the principal accused and the victim. The allegation against the petitioners is one of the abetment.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the postmortem report and the statements of witnesses, including those of the mother of the victim made before the learned Magistrate.

Considering the above, the other materials available in the case diary and the fact that the principal accused, being the son of the petitioners, is in custody, 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 no.1 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.)