

AD 58
May 18, 2026
Ct. 28
SG

Allowed

CRM(A) 1271 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Durgapur P.S. Case No.289 of 2025 dated 12.07.2025 under Section 103 of the BNS, 2023.

And

In the matter of: Kakali Ta

... *petitioner*

Mr. Anirban Dutta
Mr. Younus Sultan

... for the petitioner

Mr. Priyankar Ganguly

... Amicus

Learned counsel for the petitioner submits that the petitioner is the wife of the principal accused. The petitioner and the de facto complainant are relatives. It is alleged that on 29.06.2025 during a quarrel between relatives, the victim was assaulted by the petitioner and her husband with a stick and back portion of broom. The victim was admitted in hospital. He was discharged on 02.07.2025. He was again admitted in hospital on 06.07.2025 and passed away on the next day. The husband of the petitioner was arrested and thereafter granted bail. The petitioner is a lady and has a five year old child to take care of. Charge-sheet has been submitted.

Learned Amicus, assisting the State, opposes the prayer for anticipatory bail and relies on the case diary including on the post-mortem report and the statements of purported

eyewitnesses. He submits that the post-mortem report indicates that the death was due to the effects of injury.

Considering the above, the other materials available in the case diary, the fact that the husband of the petitioner was arrested and thereafter granted bail, the petitioner is a female member of the household taking care of her minor child and that a charge sheet has been submitted, 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/- (rupees ten thousand) 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 the further conditions that the petitioner shall surrender before the jurisdictional court within four weeks from this date and pray for bail, shall attend the jurisdictional court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)

