

AD 41
May 14, 2026
Ct. 28
SG

Allowed

CRM(A) 1326 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Debra P.S. Case No.405 of 2025 dated 19.06.2025 under Sections 85/103(1)/351(2)/3(5) of the BNS, 2023.

And

In the matter of: Ohidul Islam Sheikh @ Ohidul Islam
... *petitioner*

Mr. Navanil De
Ms. Monami Mukherjee
... for the petitioner

Mr. Krishendu Bhattacharya
... Amicus

Learned counsel for the petitioner submits that the petitioner is the husband of the alleged victim. The marriage between the couple took place in 2020. But, the victim committed suicide by consuming poison in the year 2023. It was only after the husband got remarried in 2025, after a delay of about 1 year and 8 months, the present FIR was lodged. The petitioner and his family members are looking after the child from the first marriage. Earlier, the other co-accused was granted anticipatory bail on 06.11.2025 by this Court in CRM(A) 3052 of 2025.

Learned Amicus, assisting the State, opposes the prayer for anticipatory bail and relies on the post-mortem report, the FIR and the statements of witnesses.

Considering the above, the other materials available in the case diary, the fact that there was a delay of about 1 year

and 8 months in lodging the FIR, that the FIR was instituted by filing an application before the learned Magistrate and that 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.)