

06.04.2026
Court No.35.
D/L. 95
Rakib

CRM (DB) 2986 of 2024

In Re: An Application for cancellation of bail under Section 483(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439(2) of the Code of Criminal Procedure, 1973).

And

In the matter of : Nayantara Khatun
.....Petitioner.

Mr. Bipin Baidya
.....for the Petitioner.

Mr. Bidyut Kumar Roy
Mr. Mujibar Ali Naskar.
..... for the State.

Mr. Mukteswar Maity
Ms. Manika Sarkar
.....for the respondent nos.1 to 3.

Learned advocate appearing for the petitioner submits that the order of anticipatory bail which was granted was without any materials being effectively considered by the learned Sessions Judge. The accusations according to the petitioner are under Sections 498A/325/313/307/406/34 of the Indian Penal Code. Learned Sessions Judge while considering the application for anticipatory bail took into account the allegations centered around the husband and thereafter was pleased to grant anticipatory bail to the accused persons. Subsequently, the accused persons surrendered on the next date before the learned A.C.J.M., Baruipur and were granted bail.

Learned advocate for the State is present.

Learned advocate for the accused opposite parties are also present.

Having regard to the fact that the order for anticipatory bail and the consequential bail order was passed on 07.02.2024, at this belated stage after more than two years, I am not inclined to interfere with the liberty of the accused opposite parties.

If there are change of circumstances, petitioner would be at liberty to bring the same to the notice of the jurisdictional Court, who would exercise its discretion at the appropriate stage in accordance with law.

With the aforesaid observations CRM (DB) 2986 of 2024 is disposed of.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)