

05/01/2026
M/L – 966
Court No.28
S. Kundu

C.R.M.(R) 128 of 2025

In Re: An application for bail under Section 483 (3) of the BNSS, 2023.

In the matter of: Sonam Khatun

...Petitioner.

Mr. S. R. Saha
Mr. Akash Sarkar

...for the petitioner.

1. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the wife of the principal accused and the de-facto complainant. She filed a complaint against the husband and the present private opposite parties who are the other in-laws in Basirhat P.S. Case no. 639 of 2025 dated 22.7.2025 under Sections 85 and 3(5) of the BNS and Sections 3 and 4 of the Dowry Prohibition Act. By an order dated 10.9.2025, the Sessions Judge In-charge, North 24 Parganas passed an order in Criminal Misc. Case no. 2816 of 2025 thereby granting anticipatory bail to the present private opposite parties while rejecting the application for anticipatory bail of the husband. The present private opposite parties happen to be the mother-in-law and two sisters-in-laws. The Sessions Court clearly erred in granting anticipatory bail to the said private opposite parties as there were no special circumstances for the grant of the same. Moreover, there

were clear allegations of mental and physical torture even as against the private opposite parties.

2. Perused the copy of the FIR as annexed with the application and the order dated 10.9.2025 passed by the learned Sessions Judge In-charge.
3. In his order, the Sessions Judge recorded that from the materials available in the case diary, he could not find any specific thing so far as the non-bailable offences were concerned.
4. The above referred order is clearly a reasoned one and was passed after hearing the parties and perusing the case diary.
5. Even from a perusal of the copy of the FIR as annexed with the application, this Court does not find any specific allegation so far as the present private parties are concerned, other than general allegations that they were after her property and were torturing her for more money and dowry.
6. Over allegations of torture and desertion, the application for anticipatory bail of the husband was rejected by the Sessions Court.
7. In view of the above, I do not find any infirmity in the order passed by the learned Sessions Judge In-charge granting anticipatory bail to the present private opposite parties while rejecting the prayer for anticipatory bail of the husband.

8. Therefore, I do not find any merit in this application and accordingly the same is dismissed, however, without any order as to costs.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)