08.10.2026
Serial no. 29
Anticipatory Bail
*[**Partly Allowed**]*
Dd

In the High Court at Calcutta
Criminal Miscellaneous Jurisdictional
Appellate Side

CRM (A)/3328/2026

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure* corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 *in connection with **English Bazar** Police Station Case No. **402** of **2026** dated **21.03.2026** under Sections **85 and 80** of* Bharatiya Nyaya Sanhita, 2023 *pending before ld. CJM, Malda (corresponding to Special Case NO. 02/2023)*

-And-

In the matter of **: *SONY KHATUN @ BIBI AND ORS.***
… … **Petitioners**

Mr. Sagar Saha,
Ms. Nayana Mukhopadhyay,
Mr. Monjeet Saha,
Mr. S. Das, Advocates
… … For the Petitioners

Mr. Subrata Mukherjee,
Mr. Pradeep Kumar Singh, Advocates
… …For the State

1. Three petitioners are before Court seeking anticipatory bail.
2. Victim apparently committed suicide within one year of marriage.
3. Neighbours' statements implicate the petitioner Nos. 2 and 3. The petitioner No. 1 is the married sister in law of the victim.
4. Attention the Court is drawn to statements of two neighbours recorded under Section 180 of BNSS, 2023. Such statements implicate the petitioner Nos. 2 and 3 in meting out physical and mental torture to the victim. No active role is attributed to the petitioner No. 1.

5. In such circumstances, considering the fact that the petitioner No.1 is a lady and that materials in the case diary do not suggest any active role so far as the petitioner No. 1 is concerned, I deem it appropriate to grant anticipatory bail to petitioner no. 1 (*Sony Khatun @ Bibi*).
6. So far as the petitioner Nos. 2 and 3 are concerned, considering the materials in the case diary implicating the, I am unable to grant anticipatory bail to petitioner No. 2 (Nurjahan Bibi @ Budo Bibi) and petitioner No. 3 (Saddam Sk.)
7. Accordingly, I direct that in the event of arrest the petitioner no. 1 (*Sony Khatun @ Bibi*) shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, 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 Bharatiya Nagarik Suraksha Sanhita, 2023 and petitioner no. 1 (*Sony Khatun @ Bibi*) shall cooperate with the investigation till its completion and on further condition that the such petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the such petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.
8. Prayer for anticipatory bail of the petitioner no. 1 (*Sony Khatun @ Bibi*) is **allowed**.
9. Prayers for anticipatory bail of the petitioner No. 2 (Nurjahan Bibi @ Budo Bibi) and petitioner No. 3 (Saddam Sk.) are **rejected**.
10. ***CRM (A)/3328/2026*** is **disposed of**.

(Debangsu Basak, J.)

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