

09.01.2026
Court No.28
Item No.18
tbsr
Allowed

CRM (A) 4073 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Pukuria** P.S. Case No.**467 of 2025** dated **19.09.2025** under Sections **329(4)/351(3)/107/3(5)** of the BNS, 2023 and Section 6 of the POCSO Act.

And

In the matter of: Falguni Mandal & Anr.

....Petitioners.

Mr. Amitabha Karmakar
Mr. Dhananjoy Banerjee
Mr. Arup Kumar Bhowmick
...for the petitioners

Mr. Subhomoy Bhattacharya
Ms. Sufi Kamal
....for the State

Mr. Tapan Dutta Gupta
Mr. Parvej Anam
Ms. Rituparna Ghosh
Mr. Sourav Sarkar
....for the de facto

Leave is granted to correct the cause title.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the parents of the principal accused. The principal accused was arrested and was thereafter granted bail. There was a relationship between the principal accused and the alleged victim. After the victim committed suicide, an application was made under Section 175(3) of the BNSS and the present FIR was registered.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the witnesses and the post mortem report.

It will be for the Courts to finally decide whether there is any element of abetment of suicide in this case.

However, considering the materials available in the case diary, the alleged roles ascribed to the present petitioners and the fact that the principal accused was arrested and was thereafter granted bail, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further condition that the petitioners shall cooperate with investigation, the petitioner no. 2 shall meet the I.O. once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)