

AD 266
January 8, 2026
Ct. 28
SG

Allowed

CRM(A) 4109 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Singur P.S. Case No.481 of 2025 dated 01.09.2025 under Sections 316(2)/351(2)/352/76/78/85 of the BNS, and added Sections 64(1)/62/123 of the BNS.

And

In the matter of: *XXX and another* ... *petitioners*

Mr. Dipanjan Dutt
Mr. Chanchal Kumar Dey
Mr. Surojit Saha

... for the petitioners

Mr. Saibal Bapuli, Id. APP
Mr. Arani Bhattacharyya

... for the State

Mr. Ramashis Mukherjee
Mr. Abhinaba Chatterjee
Mr. Swasato Chatterjee

... for the de facto complainant

Learned counsel for the petitioners submits that the petitioner No.1 is the father-in-law and the petitioner No.2 is the husband of the alleged victim. The marriage between the couple took place in 2023. A child was born to the couple. However, the relationship turned sour in or about 2024. The wife was showing signs of anxiety and depression. She was taken to a doctor, who referred to a psychiatrist. She was found to be suffering from hysteria and mental depression. When this was intimated to the in-laws, they took her back. The husband informed this to all the concerned authorities. As a counter blast, the present FIR

was registered. During her stay at the matrimonial home, the wife had beaten up the husband on several occasions.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail and submits that a prima facie case is made of an attempt to rape against the father-in-law.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that this is a case where the allegation of attempt to rape was supported by a domestic help. But, she refused to make a statement before the learned Magistrate. Medical prescriptions have been collected from a neuro-psychiatrist. It was found that the victim was suffering from mental disturbance. She was advised to undergo psychometric test and come back with the report.

Considering the above and the other materials available in the case diary, 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/- (rupees ten thousand) 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 the further conditions that the petitioners shall cooperate

with the investigation, shall meet the investigating officer 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, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)