16.11.2026
Item No.98
Ct.No.35
dc.
Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (A) 3883 of 2026

In Re : An Application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Khanakul Police Station Case No. 718 of 2026 dated 04.10.2026 under Sections 85/316(2) of the Bharatiya Nyaya Sanhita, 2023 (G.R. Case No. 2372/2026).

And

In Re : **Arun Kumar Alu and another**

... Petitioners.

Mr. Tarapada Das,
Mr. Mahadeb Khan,
Ms. Jonaki Khan

... For the Petitioners.

Mr. Brajesh Jha, APP,
Mr. Shourjyo Mukherjee,
Mr. Arka Naha

... For the State.

Learned advocate appearing for the petitioners submits that petitioners are relations who have been foisted with the present criminal case. It has been submitted that petitioner no.2 is the sister-in-law and petitioner no.1 is her husband. It has also been submitted that marriage was solemnized 18 years prior to the date of the incident, husband of the informant has passed away and because of property dispute, the present case has been initiated.

Learned advocate appearing for the State, on the other hand, opposes the prayer for anticipatory bail and submits that there has been non-compliance of the notices under Section 35(3) of the BNSS.

Having considered that custodial detention in the present case is unwarranted, I am inclined to grant the privilege of anticipatory bail to the present petitioners. As

such, the prayer for anticipatory bail of the petitioners is **allowed**.

Accordingly, in the event of arrest, the petitioners viz., 1. **Arun Kumar Alu** and 2. **Sarmila Alu** shall be released on bail to the satisfaction of the Arresting Officer on such terms and conditions as he deems fit and proper 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.

As the investigation of the case is still in progress, the petitioner no.1 shall report to the Investigating Officer of the case within a period of one week from date and thereafter on all subsequent dates fixed by the Investigating Officer, if required for the sake of investigation, till the report in final form is submitted before the jurisdictional court.

Memo of Evidence submitted by the learned advocate appearing for the State be kept with the record.

The application for anticipatory bail, being CRM (A) 3883 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly 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.)