

AD 24
January 5, 2026
Ct. 28
SG

Allowed

CRM(A) 4167 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Hili P.S. Case No.149 of 2025 dated 22.07.2025 under Sections 85/103/3(5)/61(2) of the BNS.

And

In the matter of:

Dipa Ghosh @ Dipa Gaine

... petitioner

Mr. Biswajit Manna

... for the petitioner

Mr. Debasish Roy, Id. PP

Mr. Iqbal Kabir

Mr. Pravash Bhattacharyya

... for the State

Learned counsel for the petitioner submits that the incident happened after about 17 years of marriage. The principal accused being the husband is in custody. Earlier, the application for anticipatory bail of the mother-in-law of the alleged victim was rejected. The present petitioner, who is the elder sister-in-law of the alleged victim, stands on a different footing. There is no material available against the present petitioner.

Learned counsel for the State strongly opposes the prayer for anticipatory bail, relies on the case diary and refers to the post-mortem report, the statements of witnesses including a neighbour and a child of the alleged victim.

It is the prosecution case that the petitioner and others used to torture the victim. On the fateful day, in the presence of some of the co-accused the husband brutally assaulted the victim and killed her.

As per the statement of the minor victim recorded before the learned Magistrate, the mother-in-law and another relative were present in a room where the incident took place.

Considering the above, the other materials available in the case diary, the alleged role ascribed to the present petitioner which is not similar to that of the mother-in-law of the alleged victim and the fact that a charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 petitioner shall surrender before the jurisdictional court within a fortnight from date and pray for bail, shall attend the jurisdictional court regularly 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.)