

09.01.2026
Sl. No.54
Ct. 28
NB

CRM (A) 4287 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gopalnagar PS Case No.619/2025 dated 16.10.2025 under Sections 108/3(5) of the BNS, 2023.

And

In the matter of: Swapna Brahma @ Swapna Bhowmik Brahma.
... petitioner

Mr. Arnab Chatterjee,
Mr. Priyam Biswas.
...for the petitioner.

Ms. Zareen N. Khan,
Mr. Atif Ahmed Siddiqui.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the mother of the alleged victim. As the petitioner did not approve of the relationship of the victim with a person belonging to another caste, the victim committed suicide. However, the petitioner's elder daughter filed the present FIR with completely different allegations, that the petitioner was involved in extra-marital affairs, and the victim protested against such conduct. These events led to the suicide of the victim.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements of a neighbour and a friend of the victim and the postmortem report. According to those witnesses, the petitioner used to torture the

victim as she had protested against the illicit relationship entered into by the petitioner.

It appears that the alleged victim was a major girl aged about 20 years.

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

However, considering the above, the other materials available in the case diary, , I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)