

AD 42
January 21, 2026
Ct. 28
SG

Allowed

CRM(A) 4291 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Goghat P.S. Case No.545 of 2025 dated 01.12.2025 under Sections 318(2)/64/318(4)/316(2)/115(2)/117(2)/352/3(5) of the BNS, 2023.

And

In the matter of:

Sabitra Das @ Sabitri Das and others
... petitioners

Mr. Suman Chakraborty
... for the petitioners

Ms. Sukanya Bhattacharjee
Mr. Arup Sarkar
... for the State

Report filed by the State is taken on record.

Despite service no one appears on behalf of the alleged survivor.

Learned counsel for the petitioners submits that the petitioners are relatives of the principal accused. It is alleged that there was a consensual relationship between the alleged victim, who is a widow, and the principal accused. However, the principal accused did not marry the alleged survivor. On a particular day, the accused assaulted her. However, there was no grievous injury inflicted on her.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the injury report, the medical report and the statements of witnesses including that of the victim.

It appears that there was a consensual relationship between the alleged victim and the principal accused for a considerable length of time and the two went to places together. The injury report does not show infliction of any grievous injury.

Considering the above, the other materials available in the case diary and the fact that the petitioners are the female members of the household, 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 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.)