

03/02/2026
D/L – 39
Court No.28
S. Kundu
Allowed

C.R.M.(A) 98 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Murutia P.S case no. 314 of 2025 dated 30/11/2025 under sections 85/117(2)/109/64/3(5) of the BNS.

In the matter of: XXX & Anr.

...Petitioners.

Mr. Santanu Talukdar
Ms. Shalini Bairagi

...for the petitioners.

Mr. Md. Golam Nure Imrohi
Mr. Partha Pratim Sinha

...for the de-facto complainant.

Mr. Partha Pratim Das
Mr. Asraf Mondal

...for the State.

1. Learned counsel appearing for the petitioners submits that there was a love affair between the 17 year old alleged survivor and the 19 year old husband. After their marriage, the relationship turned shower and an FIR was registered. The petitioners are the mother-in-law and the aunt-in-law of the de-facto complainant. The husband is in custody.
2. Learned counsel appearing for the de-facto complainant strongly opposes the prayer for anticipatory bail. He submits that out of fear, the victim was forced to marry son of the petitioner no. 1.
3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the medical report and the statements of witnesses including the statement of the victim recorded before the Magistrate.

4. In her statement made before the Magistrate, the survivor first stated that there was an attempt by the husband to throw acid at her which did not, however, reach her. Thereafter, the said principal accused trapped her in a web of love. The victim had to agree with the marriage proposal and there was a fear of a video being made viral by him.
5. It appears that the principal accused being the husband is in custody.
6. Considering the above, the other materials available in the case diary and the alleged roles ascribed to the petitioners, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.
7. In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the petitioners shall cooperate with the investigation and shall not threaten or intimidate the witnesses.
8. Accordingly, the application for anticipatory bail is allowed.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)