

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

3.07.2026
Ct No.5
Item No.12
S.K.

CRM (A) 413 of 2026

In Re:- An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and corresponding section 438 of the Indian Penal Code.

And

In Re: **Toshi Khatun @ Farida Khatun & Ors.**

.....

Petitioners

Mr. Biswajit Das
Mr. Sandip Guha Roy

....For the Petitioner

Mr. Avrojoyti Das, Id. APP
Mr. Raj Kumar Mitra
Ms. Madhushri Dutta

.....For the State

1. The petitioners are the accused in connection with Malbazar P.S. Case No. 224/2026 dated 02.06.2026 under Sections 85/89 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with section 3/4 Dowry Prohibition Act and now pending before the learned Chief Judicial Magistrate, Jalpaiguri
2. Mr. Das, learned advocate for the petitioners has submitted that the principal accused person/husband is already in custody whereas the allegation against the present petitioners who are the parents-in-law of the defacto complainant are baseless and they are not involved in the alleged offence.
3. According to him, the allegations against them are only general in nature and due to the same being non-specific, the

petitioners cannot be held liable and sent to custody during the period of investigation.

4. Learned advocate for the petitioners has further submitted about the belated reporting of the incident of offence under Section 89 of B.N.S.S.
5. Perused the C.D. The submission made on behalf of the petitioners, particularly the injury report which depicts deep cut injury over nose of the defacto complainant and also cut injury at the left side of the face, I find sufficient corroboration and involvement of the petitioners as stated by the defacto complainant in the FIR itself.
6. In such view of the material, I am not inclined to allow the petitioners' bail prayer.
7. The bail prayer is rejected.

(Rai Chattopadhyay, J.)