

13.01.2026
Item no. 01.
Court No.3.
Rakib

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 963 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Samuktala Police Station Case No. 170 of 2025 dated 03.07.2025 under Sections 329(4)/117(2)/118(1)/351(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023.

And

**In the matter of : Ajinar Bewa @ Bibi @ Ajina Bibi
.....Petitioner.**

Mr. Arnab Saha
Mr. Md. Shoaib Akhtar
.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld.APP
Mr. Aniruddha Biswas
.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is a lady who has been falsely implicated in connection with the instant case. There was no premeditated mind of the present petitioner and the sole complicity was of the husband of the present petitioner. Additionally, it has been submitted that even the offending weapon was not collected from the accused persons and there is no role which can be attributed for implicating the petitioner in the alleged offence. Neither the complicity is established from the statement of any of the witnesses.

Learned advocate for the State has opposed the prayer for anticipatory bail and produced the Case Diary. Attention of the Court was drawn to the statement of the witnesses as also the post-mortem report.

I have taken into account the statement of the witnesses and I find that consistently there has been accusations both against the husband of the petitioner and the present petitioner who is the wife who abated the alleged commission of the offence. So far as the offending weapon is concerned the same is thrown in a pond which was recovered by the husband of the de-facto complainant.

Having regard to the fact that the victim in this case was a deaf and dumb person, I am of the opinion that the investigating agency found it difficult to collect the materials in course of investigation. However, having regard to the statement of the witnesses, particularly, CSW1 to CSW5 and CSW8, I am of the view that this is not fit case for granting anticipatory bail.

Accordingly, the prayer for anticipatory bail of the present petitioner in CRM (A) 963 of 2025 is **dismissed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)