

Present: **Shri Sujay Sengupta**
Sessions Judge, Nadia.

Criminal Misc. Case No.1252 of 2026

Order No.02
01.07.2026

The application for anticipatory bail **U/s 482 of the BNSS** filed on behalf of petitioner **Rajkumar Sarkar** who apprehends arrest in connection with **Nakashipara P.S. Case No.135/2026** dated **07.02.2026** under **sections 85/80(2)/3(5) of the BNS, 2023 read with sections 3/4 of DP Act** is taken up for hearing along with LCR and CD.

Heard Learned Advocate for the petitioner as well as Learned Public Prosecutor.

At the outset, Learned Advocates of both sides state that no similar bail application is preferred, pending before or rejected by any Higher Court of law.

Rummaging the materials available, I find that the FIR was registered on 07.02.2026 over the incident happened on 05.02.2026.

Marriage of the victim was solemnized about two and a half years ago. Present petitioner is the brother-in-law of the deceased.

It is the contention of the Learned Advocate for the petitioner that charge sheet has been submitted in the meantime.

Objection is raised by the Learned Public Prosecutor.

Perused the inquest report and postmortem report. As per the said reports, it is a case of hanging.

Also perused the confidential statement given by the witness.

Considered the submissions of both sides.

Perused the other materials on record and CD.

It is evident that vide CRM(A) 1033/2026 dated 08.04.2026, the Hon'ble High Court, Calcutta, has been pleased to allow the prayer for bail under section 482 of the BNSS, in regard to other accused persons in this case. It is further evident that earlier, the husband of the deceased has been granted bail by this Court under section 483 of the BNSS. Charge sheet has been submitted in the meantime.

Considering the facts and circumstances of the case, the materials available in CD and considering that other accused persons are on bail and that charge sheet has been submitted in the meantime and being conceived by the submissions made by both sides, I am of the view that detention of the present petitioner, above named, should be unnecessary, for the purpose of investigation in this case.

Accordingly, the prayer for anticipatory bail under section 482 of the BNSS stands **allowed**.

The petitioner, above named, is directed to surrender before the Learned CJM, Nadia within seven days from this day of passing the order.

In case the **petitioner, above named**, surrenders before the concerned Learned Court, he may find bail of **Rs.10000/- with one LOCAL SURETY having the deed of landed property, together with the execution of a Personal Bond of Rs.20000/-**, on **conditions** as is envisaged under Section 482(2) of the BNSS, subject to the fulfillment of the **following conditions, ON AFFIDAVIT:**

1. That the petitioner **shall attend the Court on all scheduled dates** of hearing.
2. That the petitioner **shall not cause any threat**, induce, influence and intimidate the witnesses or tamper with evidence, in any manner, whatsoever.
3. That the **petitioner will execute affidavit before the IC/OC of the concerned PS**, stating therein that he shall not commit any other offence while remaining on bail and that he shall not misuse the liberty, granted.
4. That for the purpose of identification, the petitioner shall enclose a copy of his Aadhar Card/Voter Identity Card/PAN Card or any other valid document, issued by the Government authority, along with the Bail Bond.
5. That the bail, granted in respect of the petitioner, is purely temporary in nature and, in the event of violation of any of the conditions, mentioned here-in-above, his **bail shall be liable to be cancelled, automatically**.

Bail Bond shall be accepted to the **satisfaction of the Learned CJM, Nadia**.

Inform IC, Nakashipara PS, forthwith, with a copy of this Order.

CD and LCR be returned.

Criminal Misc. Case, is, thus, finally disposed of.

Dictated & Corrected by me

Sd/- S. Sengupta

Sessions Judge, Nadia

01.07.2026

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Sessions Judge, Nadia

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