

04.09.2024

Court No.29

Item No.20

Allowed

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CRM (A) 3066 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tehatta Police Station Case No. 513 of 2024 dated 13.07.2024 corresponding to S.L No. 1470 of 2024 under Sections 85/118(2)/109/3(5) of the Bharatiya Nyaya Sanhita, 2023,

In Re: **Billal Sk**

Petitioner

Md. Golam Nure Imrohi

For the Petitioner

Mr. Md. Adil Badr

Ms. Debjani Dasgupta

For the State

1. In spite of service, the de-facto complainant is not represented.
2. The petitioner is the husband. Learned counsel for the petitioner submits that due to matrimonial dispute a false complaint has been lodged against the petitioner.
3. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the victim recorded under Section 164 Cr.P.C and the medical report.
4. Considering the materials available in the case diary, the nature of allegation and complicity of the petitioner in the commission of the alleged offence and having regard to the fact that father-in-law and mother-in-law are already on bail, we are of the view that custodial interrogation of the petitioner is not necessary.
5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Billal Sk** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, subject to the satisfaction

of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023. The petitioner shall meet the I.O as and when called for till the submission of the final report and on further condition that the petitioner shall appear before the **learned Additional Chief Judicial Magistrate, Tehatta, Nadia**, within two weeks from date in connection with **S.L No. 1470 of 2024**. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Shampa Dutt (Paul), J)