

25.09.2024
SL No.25
Court No.29
(gc)
(Allowed)

CRM (A) 3339 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Criminal Procedure Code, 1973 read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Raghunathganj Police Station Case No.10 of 2024 dated 03.01.2024 under Section 376 of the Indian Penal Code.

And

In the matter of : **Md. Nasir Uddin @ Nasiuddin Sk.**

- Petitioner.

Ms. Rita Patra

....For the Petitioner.

Mr. Subrata Roy,

Ms. Diksha Ghosh

... For the State.

Mr. Abhinav Rakshit

....For the De facto Complainant (Legal Aid).

Ms. Shabana Hasin

....For the De facto Complainant.

1. Heard the learned Counsel for the parties.
2. The allegation is by the daughter-in-law against the father-in-law.
3. The case diary reveals that the husband of the de facto complainant has complained that since his father did not accept the marriage, a false complaint has been lodged against his father being the present petitioner. The marriage took place on 7th March, 2023. The incident alleged is of 18th November, 2023. The medical report does not show that she is handicapped. The medical report also does not corroborate the statement of the de facto complainant recorded under Section 164 Cr.P.C.
4. Considering the materials available in the case diary and taking into consideration the statement of the victim, 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, **Md. Nasir Uddin @ Nasiuddin Sk.**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C., 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioner shall meet with I.O. once in a week till the submission of the final report.
6. It is further directed that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Raghunathganj, Murshidabad in connection with G.R. Case No.25 of 2024 within two weeks from date.
7. Accordingly, the application for anticipatory bail is disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)