

02.12.2024
SI No.84
s.biswas
(Allowed)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM (A) 956 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. in connection with **Coochbehar Sadar Women** Police Station Case No. **184/2024** under Section **3/4** of the Dowry Prohibition Act.

And

In Re: **Puspa Barman**

... .. Petitioner

Mr. Hillol Saha Podder

Ms. Mousumi Das

... for the petitioners

Mr. Aditi Shankar Chakraborty, APP

Mr. Biswarup Roy

... .. for the State

1. The petitioner prays for grant of anticipatory bail on the ground that he has been falsely implicated after six years of marriage. The allegation is of demand of Rs.1,00,000/- and mental and physical torture by the husband/petitioner. The couple has one male child.
2. Learned counsel appearing on behalf of the State produces the case diary and opposes the prayer for anticipatory bail of the petitioner. He relies on the statement of the neighbour to substantiate that after one month of the marriage, the torture started.
3. Considering the materials in the case diary, the nature of allegations, the fact that no injury report had been prepared

and charge-sheet has been submitted, we are of the view that custodial interrogation of the petitioner is not necessary and the benefit under Section 482 of the BNSS can be extended to the petitioner to grant anticipatory bail.

4. Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of equal amount each, to the satisfaction of the Chief Judicial Magistrate, Coochbehar and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of BNSS and further condition that the petitioner shall appear before the jurisdictional court on the dates fixed.

5. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)