

C. R. M. (A) 192 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 14.01.2025 in connection with Shyampur Police Station Case No.336 of 2024 dated 04.09.2024 under Sections 498A/325/323/307/506/34 of the Indian Penal Code and Sections 85/115(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Section 4 of the Dowry Prohibition Act. (G.R. Case No.2057 of 2024)

And

In Re: ***Sajahan Mallick***

... .. Petitioner

Mr. Kunal Ganguly

... .. for the petitioner

Mr. Bidyut Kumar Roy
Mr. Dattatreya Datta

... .. for the State

1. Heard learned Advocates for both the parties.
2. We have considered the materials on record. In her statement, de-facto complainant claims petitioner and other accused had administered poison to her. However, history of injury in medical papers shows she herself consumed poison. Co-accused have been granted pre-arrest bail. Petitioner stands on the same footing with said co-accused. Under such circumstances, we are inclined to extend the same privilege to the petitioner also.
3. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, ***Sajahan Mallick***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition

that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Uday Kumar, J.)

(Joymalya Bagchi, J.)