

18.02.2025

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Rejected

C.R.M. (A) No. 418 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Basirhat Police Station Case No. 17 of 2025 dated 08.01.2025 under Sections 69/123/109/89/3(5) of the BNS.

And

In Re : Md. Abdul Chattar Molla @ Abdul Chattar Molla
& Ors. petitioners

Mr. Kallol Kumar Basu
Md. Jannat Ul Firdous

.....for the petitioners

Ms. Shaila Afrin
Mr. Bikram Mitra

..... for the State

Mr. Subhadip Biswas
Ms. Dona Saha

..... for the de facto complainant

1. Learned Counsel for the petitioners submits they are not the principal accused. Allegation levelled against them are false and concocted. They pray for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. Learned Counsel for the *de facto* complainant also opposes the prayer for anticipatory bail.

4. We have considered the materials on record. Petitioner no. 1 cohabited with the victim on the false promise of marriage. Thereafter he refused to marry her. When the victim went to his residence petitioners no. 2 and 3 i.e. brothers of petitioner no. 1 assaulted her and poured poison in her

mouth. She was medically treated and suffered abortion. Ocular statement of the victim is corroborated by medical evidence. In view of the aforesaid role played by the petitioners in assaulting the victim and pouring poison in her mouth resulting in serious injury and abortion, we are not inclined to grant anticipatory bail to them.

5. Accordingly, prayer for anticipatory bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)