

C. R. M. (A) 306 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 20.01.2025 in connection with Kaliachak Police Station Case No.2079 of 2024 dated 24.12.2024 under Sections 85/115(2)/117(2)/109/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 3/4 of the Dowry Prohibition Act. (G.R. Case No.9918 of 2024)

And

In Re: ***Md. Abdul Hadid & Ors.***

... .. Petitioners

Mr. Arindam Jana
Mr. Sayan Kanjilal

... .. for the petitioners

Mr. Soumik Ganguly
Ms. Sima Biswas

... .. for the State

1. It is submitted on behalf of the petitioners the victim wife had left her matrimonial home without reasonable cause. Suit for restitution of conjugal rights was filed by petitioner no.1-husband. In retaliation, the present proceeding has been lodged. Accordingly, they pray for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Allegations of torture are general and omnibus. There is delay in lodging FIR. Possibility of institution of proceeding as a counterblast to the matrimonial suit filed by petitioner no.1 cannot be ruled out. Under such circumstances, we are of the opinion custodial interrogation of the petitioners is not necessary and they may be granted anticipatory bail.
4. Accordingly, we direct in the event of arrest, the petitioners, namely, ***(1) Md. Abdul Hadid, (2) Hamida Banu, (3) Md. Abdul Halim,***

(4) Rukaiya Khanam @ Rukaiya Khatoon, (5) Toufique Sekh & (6) Md. Harun Rashid @ Harun Al Rashid, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, 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 petitioner no.1 shall meet the Investigating Officer once in a week until further orders. Petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)