

07.02.2025
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as
[REJECTED]

C. R. M. (A) 369 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tehatta Police Station Case No.930 of 2024 dated 20.12.2024 under Sections 85/109/3(5) of BNS, 2023 and Sections 3 & 4 of the Dowry Prohibition Act.

In Re: ***Erfan Bhajan.***

... .. Petitioner

Mr. Bibaswan Bhattacharyya
Mr. Amanul Islam,
Mr. Sourav Mukherjee

... .. for the petitioner

Ms. Shaila Afrin
Mr. Subhasish Datta

... .. for the State

Ms. Sabana Hasin
Mr. Asraf Mandal
Mr. Tushar Sil

...for the de-facto complainant.

1. Petitioner contends there was a romantic association between petitioner and de-facto complainant. They got married. Subsequently, she withdrew from her matrimonial home. On 01.12.2024 petitioner and others went to the parental home to bring her back but were assaulted. On 17.12.2024 a proceeding was initiated under Section 100 of BNSS, 2023. In retaliation, the present case has been lodged. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Learned Advocate for the de-facto complainant submits petitioner had a romantic association with her client. After obtaining employment he refused to marry her. Thereafter, they married but petitioner and other in-laws demanded Rs.5 lakhs and assaulted her. Petitioner tried to throttle her to death. She was medically treated.

4. We have considered the materials on record including the statement of the victim lady. It appears there was free mixing between the parties. Subsequently, they got married. There was matrimonial discord and a *salish* was held. Pursuant to the *salish* she returned to her matrimonial home and on 18.12.2024 petitioner tried to throttle her. Her statement is corroborated by medical evidence.

5. In light of the aforesaid incriminating materials and the nature of crime, we are not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)