

07.02.2025
tkm/ct 28
sl no.29

C.R.M. (A) 381 of 2025

In Re : An application under section 482 of the BNSS 2023 in connection with Harishchandrapur PS case no. 700/2024 dated 8.8.2024 under sections 85/80(2)/103(1)/3(5) of BNS 2023 read with sections 3/4 of the DP Act

And

In Re : Sonu Yadav @ Sonu Kumar Yadav petitioner

Ms. Kallol Mondal, Sr. Adv.
Mr. Souvik Das
Mr. A Banerjee
Mr. Sourav Mukherjee
Mr. Akbar Laskar

..... for the petitioner

Mr. Pravas Bhattacharya
Mr. Dipankar Paramanick

..... for the State

1. Petitioner contends he is a driver attached to the Indian Army. He was not present when his wife was murdered. After rejection of his prayer for pre-arrest bail charge sheet has been filed wherein he has not been charged under section 103(1) of BNSS 2023. Accordingly, he renews his prayer for anticipatory bail.

2. Learned lawyer for the State contends petitioner is the husband of the victim lady. He and other in-laws demanded dowry and tortured her. Within 2½ years of marriage, she was murdered. Petitioner has been charged with dowry death under section 80(2) of BNS 2023.

3. We have considered the materials on record. Statements of witnesses show petitioner who is the husband of the victim lady subjected her to torture on demands of dowry during her matrimonial life which was prematurely terminated by murder. Though petitioner may not be present at the time when victim was

murdered, there are *prima facie* materials he had tortured his wife resulting in her ultimate unnatural death. Ingredients of offence of dowry death are *prima facie* disclosed. In view of the gravity of crime we are not inclined to review our earlier order rejecting anticipatory bail.

4. Petitioner is at liberty to appear before the jurisdictional court and pray for regular bail in accordance with law.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)