

13.02.2025
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as
[ALLOWED]

C. R. M. (A) 441 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Malda Police Station Case No. 898 of 2024 dated 15.12.2024 under Sections 316(2)/123/308(3)/3(5) of BNS, 2023.

In Re: Bajanti Das @ Baijanti Das.

... .. Petitioner

Mr. Kazi M. Rahman.

... .. for the Petitioner

Mr. Subhomoy Bhattacharya,
Mr. Subhasish Datta.

... .. for the State

1. Petitioner contends she was married to one Akshoy Saha. and had been subjected to torture over demands of dowry. She lodged criminal case being Malda Police Station Case No.676 of 2024 dated 24.09.2024. In retaliation the present case has been lodged. Accordingly, she prays for anticipatory bail.

2. Learned Advocate for the State produces both the case diaries.

3. We have considered the materials on record. Petitioner had been driven out of here matrimonial home. She had lodged a criminal case alleging cruelty against the son of the de-facto complainant on 24.09.2024. Subsequently, the present case has been instituted on the basis of an application under Section 173(3) of BNSS, 2023. In the said application, it is alleged the de-facto complainant's son was induced by the petitioner to come to her residence and administered drugs. His objectionable pictures were taken and through blackmail large amount of

money had been extorted from him. Possibility of false implication in retaliation to prior criminal case cannot be ruled out.

4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., ***Bajanti Das @ Baijanti Das*** be released on bail upon furnishing a bond of Rs.10,000/-, 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 BNSS. She shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)