

21.02.2025
34.
Ct. No. 28
SG
[Allowed]

C. R. M. (A) 490 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Baruipur Women Police Station Case No. 04 of 2025 dated 08.01.2025 under Sections 85/316(2)/351(2)/115(2)/62/64/109/3(5) of BNS.

And

In Re: **XXX.**

... .. Petitioner

Mr. Abhra Mukherjee,
Mr. Swakshar Kumar Mondal,
Mr. Arpayan Mukherjee,
Mr. Himadree Ghosh.

... for the petitioner

Mr. Arindam Sen,
Mr. Soumadip Saha.

.... for the State

1. Petitioner submits he is the brother-in-law of the victim lady. Earlier victim's husband lodged a criminal case against her. In retaliation, the present case has been registered. Accordingly, he prays for anticipatory bail.

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

3. Nobody appears for the victim.

4. We have considered the materials on record including statement of the victim. She alleges on 23.12.2024 petitioner had thrown kerosene oil at her. However, no wearing apparel has been seized nor any forensic report showing kerosene oil on seized apparel is placed before us to corroborate such allegation.

Possibility of false implication due to matrimonial dispute cannot be ruled out.

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

6. Accordingly, we direct that in the event of arrest, the petitioner 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 Bharatiya Nagarik Suraksha Sanhita, 2023. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

7. Application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)