

17.02.2025
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as
[ALLOWED]

C. R. M. (A) 496 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Balurghat Police Station Case No. 1007 of 2024 dated 24.12.2024 under Sections 85/115(2)/109/3(5) of BNS, 2023.

In Re: *Jharna Roy Barman.*

... .. Petitioner

Mr. Biswajit Manna.

... .. for the Petitioner

Mr. Samik Ganguly,
Ms. Jonaki Saha.

... .. for the State

1. Petitioner submits there was a matrimonial dispute between the de-facto complainant and her husband. Thereafter, matter was resolved and a petition for divorce by mutual consent was filed. Subsequently, de-facto complainant has levelled false allegations and instituted the present case. Accordingly, he prays for bail.

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

3. We have considered the materials on record including statement of the victim lady. She alleges she had been tortured and forced to sign documents which were used to file the petition for mutual divorce. This issue may be agitated in the divorce proceeding before the appropriate court. No contemporaneous complaint with regard to the allegation of administration of poison is placed before us. Medical report also does not show any recent external or internal injury.

4. Keeping in mind these facts, we are of the opinion custodial interrogation of the petitioner for progress of investigation is not necessary and he may be granted anticipatory bail.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Jharna Roy Barman** 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.

(Partha Sarathi Sen , J.)

(Joymalya Bagchi, J.)