

18.02.2025
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as
[ALLOWED]

C. R. M. (A) 526 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chitpur Police Station Case No. 13 of 2025 dated 23.01.2025 under Sections 85/316(2)/3(5) of BNS, 2023 and Sections 3 & 4 of the Dowry Prohibition Act.

In Re: Rahul Saha & Ors.

... .. Petitioners

Mr. Angshuman Chakraborty,
Mr. Prosenjit Biswas,
Mr. S. S. Saha.

... .. for the Petitioners

Md. Anwar Hossain,
Ms. Rita Datta.

... .. for the State

1. Petitioners submit petitioner No.1 is the husband and petitioner Nos.2 and 4 are the in-laws of the victim wife. Petitioner no.1 had instituted a suit for divorce against the de-facto complainant. In retaliation, she instituted the present criminal proceeding as well as proceeding under Section 12 of Protection of Women from Domestic Violence Act. Accordingly, they pray for anticipatory bail.

2. Learned Advocate for the State contends *stridhan* articles are yet to be recovered.

3. We have considered the materials on record. Petitioner no.1 instituted a suit for divorce against de-facto complainant wife. Thereafter, the present case has been registered. Possibility of institution of the case as a counterblast to the divorce proceeding cannot be ruled out.

4. Under such circumstances, we are of the opinion though custodial interrogation of the petitioner for progress of investigation is not necessary, petitioner no.1 requires to co-operate with the investigation for recovery of *stridhan* articles, if necessary.

5. Accordingly, we direct that in the event of arrest, the petitioners viz., **1) Rahul Saha, 2) Dibyenndu Saha, 3) Nilanjana Saha and 4) Dipak Saha** be released on bail upon furnishing a bond of Rs.10,000/- each, 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 and on further condition petitioner No.1 while on bail shall meet the Investigating Officer once in a week until further orders and assist in recovery of *Stridhan* articles, if any. They 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.)