

AD 3
May 7, 2025
Ct. 28
SG

Partly Allowed

CRM(A) 905 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mejia P.S. Case No.147 of 2024 dated 18.11.2024 under Sections 85/117(2)/109/316(2) of the BNS, 2023 and 3/4 of D.P. Act.

And

In the matter of:

Ashoke Kumar Singha and others

... petitioners

with

CRM(A) 1028 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mejia P.S. Case No.147 of 2024 dated 18.11.2024 under Sections 85/117(2)/109/316(2) of the BNS, 2023 and 3/4 of D.P. Act.

And

In the matter of:

Amit Kumar Singha

... petitioner

Mr. Soumik Ganguli

Ms. Debangana Bhattacharya

... for the petitioners

Mr. S. S. Imam

Ms. Baisakhi Chatterjee

... for the State in CRM(A) 905/25

Mr. Anurag Alhuwalia

Mr. Aditya Kanodia

Ms. Shreya Trivedi

... for the OP No.2 in CRM(A) 905/25

As the two applications for anticipatory bail arise out of the same criminal case, they are taken up for hearing together.

Learned counsel appearing for the petitioners submits that the FIR was lodged nine months after the alleged date of

occurrence. The marriage took place in 2022. There were differences between the private parties which led to the registration of a false case.

Learned counsel for the State refers to the statements of witnesses, including the victim and to the injury report. The victim had taken the names of all the petitioners as the assailants before the doctor as recorded in the injury report. Therefore, the question of the FIR being an afterthought does not arise. There are allegations of torture and dowry demand.

In view of the incriminating materials available in the case diary, I am not inclined to grant anticipatory bail to the petitioner Nos.1 and 3 in CRM(A) 905 of 2025 and the petitioner in CRM(A) 1028 of 2025.

Accordingly, the prayers for anticipatory bail of the petitioner Nos.1 and 3 in CRM(A) 905 of 2025 (Ashoke Kumar Singha and Sudipta Singha) and the petitioner in CRM(A) 1028 of 2025 (Amit Kumar Singha) are rejected.

Considering the fact that the petitioner Nos. 2 and 4 in CRM(A) 905 of 2025 are female members of the family, I am inclined to grant anticipatory bail to the petitioner Nos.2 and 4.

In the event of arrest, the petitioner Nos. 2 and 4 in CRM(A) 905 of 2025 (Suparna Singha and Nibedita Singha) shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each with two sureties of

like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioner Nos. 2 and 4 shall cooperate with the investigation and shall not threaten or intimidate witnesses.

The applications for anticipatory bail are, thus, disposed of.

(Jay Sengupta, J.)