

20.03.2025
Item No.23
Ct. No. 26
CHC
Allowed

C.R.M.(A) 903 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Kasba** Police Station Case No. **361** of **2023** dated **01.09.2023** under Sections **498A/406/34** of the Indian Penal Code, 1860 read with Sections 3 and 4 of the Dowry Prohibition Act, 1961, pending before the Learned Additional Chief Judicial Magistrate, South 24 Parganas at Alipore.

And

In the matter of : Raushan Kumar Jha & Ors.

..... petitioners

Mr. Subrata Bhattacharya, Advocate
Mr. Indranuj Dutta, Advocate
Ms. Benazir Sk
....for the petitioners

Mr. Shiladitya Banerjee, Advocate
Mr. Arup Sarkar, Advocate
....for the State

Mr. Sourav Mondal, Advocate
Ms. Shyanti Poddar, Advocate
...for the de facto complainant

1. Petitioner no.1 is the husband.
2. Learned advocate appearing for the petitioners submits that petitioner no.1 is ready and willing to pay a sum of Rs.12,000/- per month towards maintenance of de facto complainant and the child born out of the wedlock

subject to any decision that may be arrived at by the appropriate forum on amount of such maintenance.

3. Learned advocate appearing for the petitioners offers to pay such amount of Rs.12,000/- per month commencing from the month of April, 2025 payable within 7th of each month in the bank account of the de facto complainant.
4. State and the de facto complainant are represented.
5. In view of the stand taken by the petitioner no.1, we deem it appropriate to permit the petitioner no.1 to pay a sum of Rs.12,000/- per month in the Bank Account of the de facto complainant being Bank Account No.0112983741, IFSC-KKBK0000322 commencing from the month of April, 2025 and payable within the 7th of each month till final decision on the quantum of maintenance is adjudicated upon by the appropriate forum.
6. Materials in the Case Diary do not suggest requirement of placing the petitioners in custody at this stage.
7. In such circumstances, we grant anticipatory bail to the petitioners.
8. Accordingly, we direct that in the event of arrest the petitioners namely, petitioner no.1, Raushan Kumar Jha, petitioner no.2, Nand Kishore Jha alias Nand Kiahore Jha alias Nand Kishor Jha, petitioner no.3, Smt. Dhrmshila Devi alias Dharma Shila Devi, petitioner no.4, Smt. Mani Jha, petitioner no.5. Sanjeev Kumar Jha alias Sanjeev Kr.

Jha, petitioner no.6, Rakesh Kumar Jha alias Rakesh Kr. Jha and petitioner no.7, Smt. Nidhi Jha alias Nidhi will be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, 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 and on further condition that the petitioner no.1, Raushan Kumar Jha, petitioner no.2, Nand Kishore Jha alias Nand Kiahore Jha alias Nand Kishor Jha, petitioner no.5. Sanjeev Kumar Jha alias Sanjeev Kr. Jha and petitioner no.6, Rakesh Kumar Jha alias Rakesh Kr. Jha will meet the Investigating Officer once in a month till the conclusion of investigation and petitioner no.3, Smt. Dhrmshila Devi alias Dharma Shila Devi, petitioner no.4, Smt. Mani Jha and petitioner no.7, Smt. Nidhi Jha alias Nidhi will cooperate with the investigation till the conclusion of investigation and on condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including

cancelling the anticipatory bail granted without further reference to this Court.

9. This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Smita Das De, J.)