

24.03.2025

Serial no. 11
(Anticipatory bail)
(Allowed)
(Dd)

CRM (A) 985 of 2025

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kaliganj** Police Station Case No. **1086** of **2024** dated **12.12.2024** under Sections **126(2)/117(2)/109/3(5)** of Bharatiya Nyaya Sanhita, 2023 pending before Learned Chief Judicial Magistrate, Nadia, Krishnagar.*

-And-

In the matter of : APSURA KHATUN BIBI

... .. Petitioner

*Mr. Kusal Kumar Mukeherjee,
Ms. Pranidhi Singh, Advocate
... .. For the Petitioner*

*Ms. Sreyashee Biswas,
Mr. Sujoy Sarkar, Advocates
... ..For the State*

1. Petitioner prays for anticipatory bail.
2. Materials in the case diary suggest that the petitioner suffered head injury due to physical assault. Statement of the husband of the victim states that the victim was removed to the hospital.
3. Victim was removed to the hospital in a toto. The driver of such vehicle recorded a statement under Section 180 of the BNSS, 2023 where, he claims that, the victim suffered a head injury and was bleeding.
4. Initial medical examination report of the victim at the Government Hospital does not corroborate the claim of the victim as to the nature of assault that she suffered or that she was conscious and remained unconscious for three days thereafter.

5. In such circumstances, considering the nature of the incident and the involvement of the petitioner therein, we are inclined to grant anticipatory bail to the petitioner.
6. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall cooperate with the investigations till the conclusion of the investigation and on further condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.
7. Prayer for anticipatory bail of the petitioner is **allowed**.
8. **CRM (A) 985 of 2025** is **disposed of**.

(Debangsu Basak, J.)

(Smita Das De, J.)