

24.03.2025
DL-18

(AD)
(Allowed)

C.R.M. (A) 992 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Murutia** Police Station Case No.**22 of 2025** dated **25.01.2025** under Sections **85/329(4)/117(2)/109/351(2)/3(5)** of the Bharatiya Nyaya Sanhita, 2023 being Serial No.184 of 2025, now pending before the Court of the learned Additional Chief Judicial Magistrate, Tehatta, Nadia.

And

In the matter of: **Tipu Sultan Mondal**

....petitioner.

Mrs. Karabi Roy, Advocate

...for the petitioner.

Ms. Minoti Gomes, Advocate

Ms. Sreetama Das, Advocate

... for the State.

Mr. Amanul Islam, Advocate

Mr. Sourav Mukherjee, Advocate

... for the de facto complainant.

1. Petitioner before us is the husband of the de facto complainant.
2. Materials on record suggest that, the petitioner initially filed an application under Section 100 of the Bharatiya Nagarik Suraksha Sanhita, 2023 before the jurisdictional Court where the de facto complainant stated that, she was living at her paternal home voluntarily. Petitioner thereafter lodged a proceeding for divorce before the appropriate Court.
3. During the pendency of the divorce proceedings, the present police case was registered.
4. De facto complainant claims that, she was assaulted by the petitioner and that kerosene oil was poured over her for the purpose of setting her ablaze.

5. Admittedly, at the material point of time when the incident occurred, the de facto complainant was residing at her paternal home. Although, the injury report claims that, there was a smell of kerosene oil coming out from the dress owned by the de facto complainant, it remains unexplained at this stage, as to how such kerosene oil came to be poured at her by the petitioner when admittedly the de facto complainant was residing at her paternal home separately from the husband. Version of the de facto complainant is not corroborated by the materials on record.
6. In such circumstances, we grant anticipatory bail to the petitioner.
7. 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on 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.

8. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
9. **C.R.M. (A) 992 of 2025** is, thus, disposed of.

(Debangsu Basak, J.)

(Smita Das De, J.)